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OVERSIGHT OF THE PUBLIC BUILDINGS SERVICE AND THE PROMOTION OF PUBLIC BUILDING DESIGN EXCELLENCE

HEARING

BEFORE THE

SUBCOMMITTEE ON
WATER RESOURCES, TRANSPORTATION,
AND INFRASTRUCTURE

OF THE

COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

FIRST SESSION

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OVERSIGHT OF THE PUBLIC BUILDINGS SERVICE AND THE PROMOTION OF PUBLIC BUILDING DESIGN EXCELLENCE

THURSDAY, MARCH 14, 1991

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON WATER RESOURCES,
TRANSPORTATION, AND INFRASTRUCTURE,
Washington, DC.

The committee met, pursuant to notice, at 10:04 a.m. in room 406, Dirksen Senate Office Building, Hon. Daniel Patrick Moynihan, [chairman of the subcommittee] presiding.

Present: Senators Moynihan, Symms, Reid, Chafee, and Metzenbaum.

OPENING STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

Senator MOYNIHAN. Our guest is the distinguished Administrator of the General Services Administration who we work with in such great detail.

I have a statement I'd like to put in the record and also a statement from Senator Warner.

[The statements referred to follow:]

OPENING STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

A very good morning. This is the Subcommittee on Water Resources, Transportation, and Infrastructure. Today's hearing has two purposes. In the first part, we shall examine the General Services Administration's proposed fiscal year 1992 program.

For fiscal year 1992, GSA proposes $477 million in new construction, down significantly from the $1.46 billion requested in fiscal year 1991. Meanwhile, GSA's rental costs continue to increase. From $575 million in 1980 to $1.667 billion in 1992 or 39 percent of the total Public Buildings Service's budget. And it is expected to reach $2 billion sometime in the middle of this decade.

Therein lies our problem. We are making K Street landlords wealthy by leasing rather than building our long-term space requirements. GSA now owns 57 percent of the total space it occupies, leasing the remaining 43 percent. The government is not going away. We should own. But the budget crisis deliberately created in the 1980's with the thought of shrinking domestic programs, has also shrunk our ability to buy buildings. When you can't afford to buy, you lease.

To get around this, Terrence Golden, that most able former GSA Administrator, came to us with an idea of "lease-purchase" financing. And we authorized some dozen or so such buildings from 1987 to 1989, including the new Judiciary Office Building just down the street next to Daniel Burnham's Union Station. All of a sudden, a year ago, OMB put a stop to it. An arcane argument about budget "scoring" or some such other thing. I didn't understand. And I still don't. Perhaps they were just afraid we had learned how to get something done. So they cut it off before we could do more. We are once again left with little alternative but leasing.

Of the eight buildings proposed for fiscal year 1992, six are court facilities. For this reason, I have invited the Director of the Administrative Office of the United States Courts, Mr. Ralph Mecham to testify today. As we are all well aware, the Courts are a separate branch of government. As such, we welcome the opportunity to hear directly from the Courts on their needs.

The second part of this hearing will focus on the need for design excellence and public participation through the use of design competitions. We begin with a simple proposition that architecture is the one inescapable public art, and that in the main, it should be organized to produce a successful outcome.

In 1962 it fell to me to write an architectural policy for the Federal Government. President Kennedy commissioned it. In the "Guiding Principles for Federal Architecture," I wrote, "the design of Federal office buildings . . . must meet a two-fold requirement. First, it must provide efficient and economical facilities for the use of Government agencies. Second, it must provide visual testimony to the dignity, enterprise, vigor, and stability of the American Government." We knew, as Thomas Jefferson at the founding of the new Republic, that to foster a sense of a shared American experience, trust, and common purpose, the quality of public design has got to be made a public issue because it is a political fact.

By and large it seems that we stopped caring about our public architecture. The retreat from magnificence, to use a phrase of Evelyn Waugh's, has gone on long enough. Too long. An era of great public works is as much needed in America as any other single element in our public life. Under Dick Austin, however, I am happy to say that this most important public art is again receiving some attention.

Under his watch we will finish three grand buildings—the Federal Triangle Building here in Washington, which Benjamin Forgey, that most respected architecture critic of the *Washington Post,* has recently reviewed so favorably, and a Courthouse and a Federal Office Building in Foley Square, New York. Attention to design excellence in these cases will be appreciated by generations to come.

One way to focus attention on design is through the use of design competitions. And we do have some experience with these. Dr. William Thornton was chosen as the designer of the Capitol through a design competition. As was James Hoban, the White House architect.

Design competitions do not guarantee good design. But they do get us thinking about it. These buildings are the public's and our selection process ought allow for their participation. Design competitions can accommodate a dialogue between the architects and all of their clients—agency and community alike.

We have an outstanding panel of experts here today to discuss this subject. We are honored to have them. And perhaps with their advice we shall find a way to truly improve the designs of our public buildings.

STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Mr. Chairman and Members of the Committee, I am pleased to see that today's hearing will focus on the promotion of public building design excellence through the use of design competition. Every Member of this Committee has or will have various public buildings constructed in their State. We are all concerned that such buildings are constructed in the most efficient manner possible and the public's money is spent wisely on such projects.

The General Service Administration's design selection process is governed by the Architecture-Engineer Selection Act of 1972, also known as the Brook Bill. This process is designed to produce a list of three firms or individuals for a particular project on the basis of their qualifications and demonstrated competence, as well as their concepts for the proposed design of the project.

In 1976, a General Accounting Office study concluded that the General Service Administration's design procurement process ". . . dealing only with Architect-Engineer firms' past accomplishments do not, in our opinion, afford the Government a sound basis for evaluating proposals for a new project. Discussions have generally not involved matters dealing with proposed concepts as the law intended." No changes to the General Service Administration's design procurement process have been adopted to address this General Accounting Office conclusion.

Design competitions are one way to focus GSA's evaluation of design projects on the merits of the proposed concept, not just on the firm's background. By definition a design competition is when two or more architects submit designs for the same project, at the same time. Most industrial nations make regular use of design competitions for their public buildings. Examples of structures constructed after a design competition was conducted include the White House, the Capitol, the Eiffel Tower, and the Spanish Steps in Rome.

I am pleased to see that our witnesses today before the committee are noted experts who have participated in various aspects of design competitions.

Senator MOYNIHAN. I know that my colleague and friend, Senator Symms, has to go to the Finance Committee, where I ought to be as well. We usually are required to be several places at once. Once again, we're addressing the issue that this committee has dealt with for a very long while which is how to get government offices into government buildings. No Administrator has been as concerned about that as much as Mr. Austin.

From 1980 we had a rent bill of about $565 million and it has risen to $1,667,000,000, it's tripled and we pay for that. We're slowly reversing it. We hope to talk about some of those patterns today. We obviously don't want to go into a completely owned system because there are flexibilities, things come and go, and there's room for rented space, but not for a majority of rental space. That is a very false economy.

With that, we'll get on to our very able panel, including my dear friend, Brendan Gill, all the way from the New Yorker, on what these buildings are going to look like.

Senator Symms.

OPENING STATEMENT OF HON. STEVE SYMMS, U.S. SENATOR FROM THE STATE OF IDAHO

Senator SYMMS. Thank you, Mr. Chairman.

To you, Mr. Austin, and the other witnesses who will be here this morning, I apologize. I am taking the folder with your statements with me and I'll review it but I must be in the other committee this morning and leave this to my good friend, Senator Moynihan, who I know will be willing to work with you and hope we can accomplish what it is you are about this morning.

Thank you very much and I'll excuse myself.

Senator MOYNIHAN. Mr. Austin, good morning again, sir.

Mr. AUSTIN. Mr. Chairman, good morning.

STATEMENT OF RICHARD G. AUSTIN, ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION

Mr. AUSTIN. Mr. Chairman, I have a prepared statement which I would like to submit for the record.

Senator MOYNIHAN. It will be put in the record; you may proceed exactly as you please.

Mr. AUSTIN. I also have a brief opening statement with some charts and graphs which I'd like to share with you this morning, if I may, sir.

Senator MOYNIHAN. Oh, we have two sets, one for our guests and one for our podium up here. Very elegant.

Mr. AUSTIN. Mr. Chairman and members of the subcommittee, I'm pleased to appear before you today to discuss a number of issues relating to the Public Buildings Service and its long-range plans, it's budget request for 1992, and its use of design competition to procure architectural and engineering services.

Mr. Chairman, in fiscal year 1990, the General Services Administration undertook the development and the implementation of an agency-wide strategic planning process. I'm pleased to report that this year we have built upon last year's successes and that the process is well established within the agency.

As part of that process, however, the Public Buildings Service has developed an annual strategic plan which includes the following mission statement: to provide quality services required by our clients in a timely manner and insure the best value to the Government and the public thereby enhancing our clients' ability to accomplish their missions. Mr. Chairman, I'd like to submit a copy of PBS fiscal year 1991 strategic plan for the record, if I may.

Senator MOYNIHAN. That will be placed in the record. (See p. ?)

Mr. AUSTIN. Thank you, sir.

This plan establishes the objectives for PBS, Public Buildings Service's operations, including the formulation of its annual budget, and its long-range plans and its policies. The Public Buildings Service budget request for fiscal year 1992 reflects the goals of our strategic plan. We are asking for $4.2 billion in new obligational authority for the Federal Buildings Fund. With the exception of about $47 million in direct appropriations, this entire program is funded from the rental revenues of the Federal Buildings Fund. This $4.2 billion request provides funding for Public Buildings Service's, operating and capital programs.

Looking first at the $2.9 billion operating budget, it includes $1.1 billion for routine building operations and almost $1.7 billion for rental payments to lessors. Turning to the PBS capital budget, the request reflects our major strategic objectives: increase the ownership of GSA-controlled space, insure safe and healthful working environments for Federal employees, and manage Government-owned property as assets. It includes $143 million for design and construction services; $145 million for installment payments; $569 million for repairs and alterations; and $477 million for new construction.

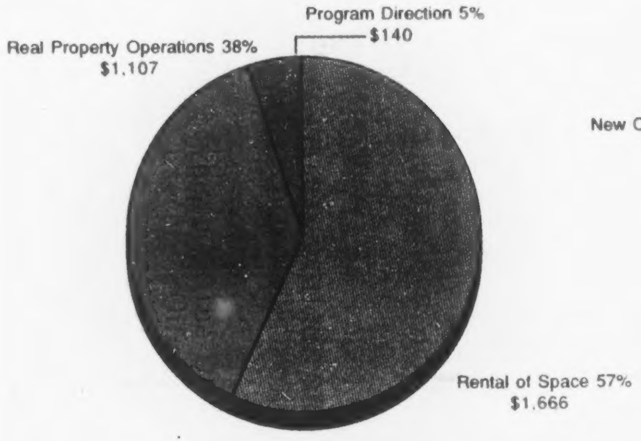
The $569 million repair and alteration request provides funding for health and safety improvements, basic repairs, building modernization, and preparation of space for occupancy by the U.S. Courts.

The $477 million budget request for new construction includes funding for a new headquarters building for the Department of Transportation in Washington, D.C., site and/or design funding for five new court facilities, site and construction funding for one courthouse and escalation of a previously-approved laboratory project in Menlo Park, CA.

Federal Buildings Fund FY 1992 Program

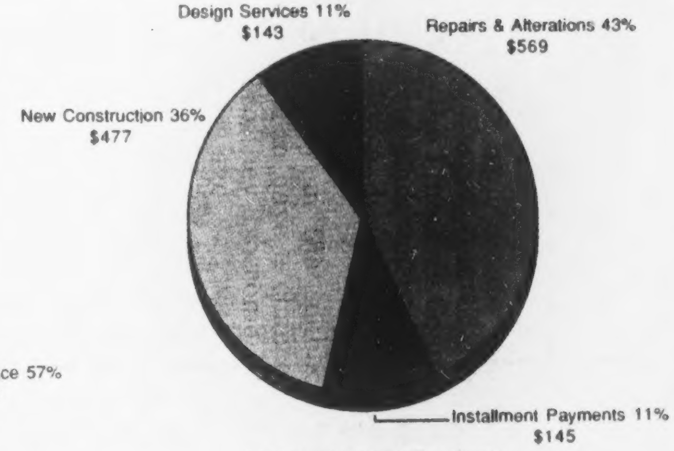
($ in Millions)

Operating Budget



Total Operating Budget
($2,913)

Capital Budget



Total Capital Budget
($1,334)

Federal Buildings Fund FY 1992 Program

Prospectus Level New Construction
Funding for Site, Design, Construction, M & I

Washington, DC
DOT Headquarters

Fort Myers, FL
Federal Building and
US Courthouse

Tallahassee, FL
US Courthouse Annex

Reno, NV
US Courthouse Annex

Concord, NH
Federal Building/
Courthouse Annex

Knoxville, TN
US Courthouse

Charlotte Amalie, USVI
US Courthouse

Menlo Park, CA
Office/Labs Escalation

Mr. AUSTIN. The goals reflected in this budget request are not short term; rather, they represent long-range strategic objectives requiring ongoing efforts. For example, a goal we share is to increase the proportion of Government-owned space in the inventory. As a result of the study of the optimal level of owned versus leased space, the Public Buildings Service concludes that the ratio of the entire GSA inventory should be 74 percent Government-owned to 26 percent leased.

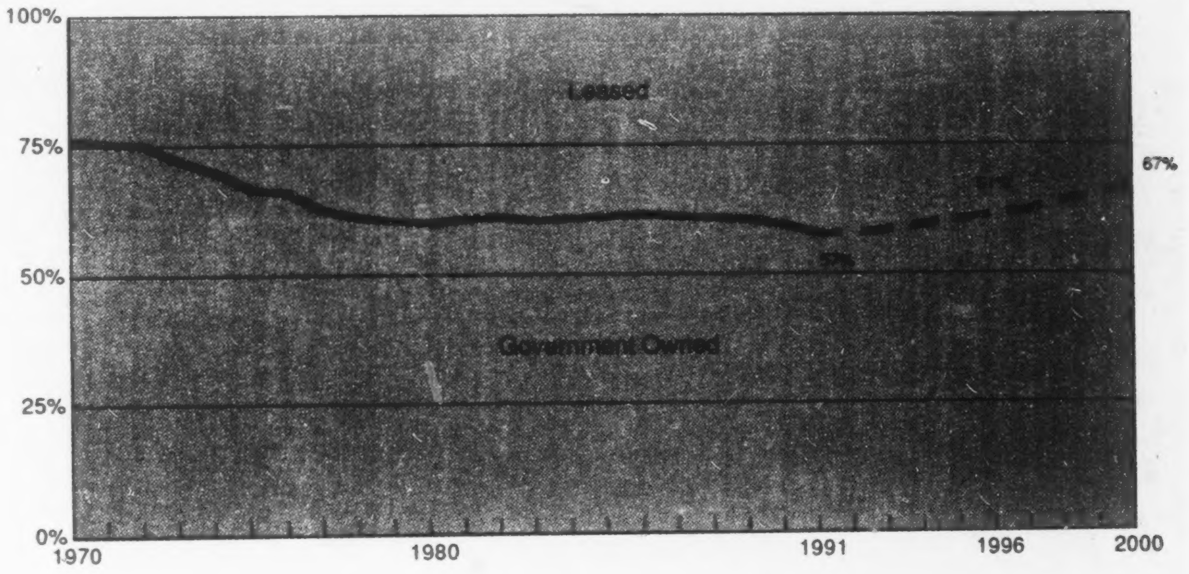
Senator MOYNIHAN. You wouldn't want to make that 75/25, would you?

Mr. AUSTIN. We would be flexible, Mr. Chairman.

Senator MOYNIHAN. Just so we can remember. I have a little trouble with your graph there and that's my ineptness with these matters. I would have thought that curve should somehow be reversed, isn't that right? We show Government-owned dropping by general usage. The quantity involved in a chart is the area below the line and we get down to 57 percent of space but that's 50 percent leased.

Percentage of Government Owned and Leased Space

(Total Occupiable Square Feet)



Mr. **Austin**. Actually, Mr. Chairman, that is 57 percent Government-owned space; 43 percent of our space is currently leased.

Senator **Moynihan**. Oh, I see, but then over here, it says rental of space, 57—oh, is that just a coincidental figure? That's your operating budget, 57?

Mr. **Austin**. Yes, sir.

Senator **Moynihan**. So we had Government- owned at 75 and you want to get it back there?

Mr. **Austin**. At one point in time in our history we were at that point, and we would like to move back up to that point.

Senator **Moynihan**. Got you. This is what this committee has been after for a long while.

Mr. **Austin**. Yes, sir.

Senator **Moynihan**. Be a sport and call it 75.

Mr. **Austin**. Yes, sir. If I may go on, sir?

Senator **Moynihan**. Sure.

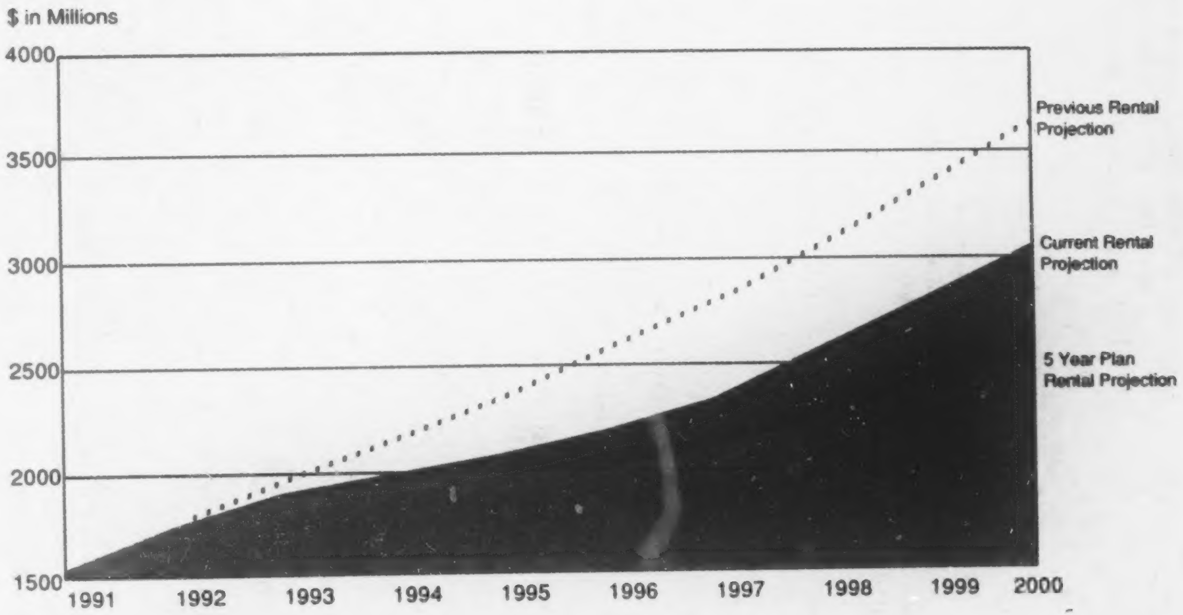
Mr. **Austin**. Thank you.

As you can see in the chart, today the ratio of owned to leased space is approximately 57 percent Government-owned space to 43 percent leased. The construction projects totalling 11.6 million square feet authorized for fiscal years 1988 through 1991, including the lease purchase projects and the supplemental $1.6 billion appropriation in fiscal year 1991, should shift the ratio to 61 percent Government-owned space to 39 percent leased space in fiscal year 1996. This estimate, however, does not reflect any increase in leased space to meet additional expansion needs of our clients.

By taking a long-term perspective, GSA can estimate the magnitude of work that must be undertaken to achieve our strategic objective. To this end, GSA has recently completed a 5-year plan that incorporates these initiatives. Because the plan is now under review within the Administration, I am unable to provide a copy to you at this time, but rest assured, Mr. Chairman, I will submit our 5-year plan as soon as I am able to have approval from OMB and the Administration. Although I cannot discuss the plan in detail, I would like to give you a brief summary of our proposal.

It recommends increases in Government-owned space and decreases in leased space so that when all projects are completed, including the 11.6 million square feet now in the pipeline, the ratio would be 67 percent owned to 33 percent leased by the year 2000. As you can imagine, this level of new construction would significantly reduce the Government's rental cost. Without this Government-owned space, GSA rental of space costs would increase to approximately $3.7 billion by the year 2000.

Rental of Space Costs



Mr. AUSTIN. Today, due to lease purchase projects approved in previous years and projects in fiscal year 1991 budget amendment, GSA's projected rental of space account for the year 2000 will be reduced by almost $700 million. If all of the projects proposed in the 5-year plan were carried out, the rental cost would be further reduced by an additional $490 million by the year 2000.

Senator MOYNIHAN. Are you talking about a billion dollars per year or a billion dollars over time?

Mr. AUSTIN. A year.

Senator MOYNIHAN. Rent?

Mr. AUSTIN. Yes, sir.

Senator MOYNIHAN. Your annual rent?

Mr. AUSTIN. Yes, sir.

Senator MOYNIHAN. A billion dollars?

Mr. AUSTIN. Yes, sir.

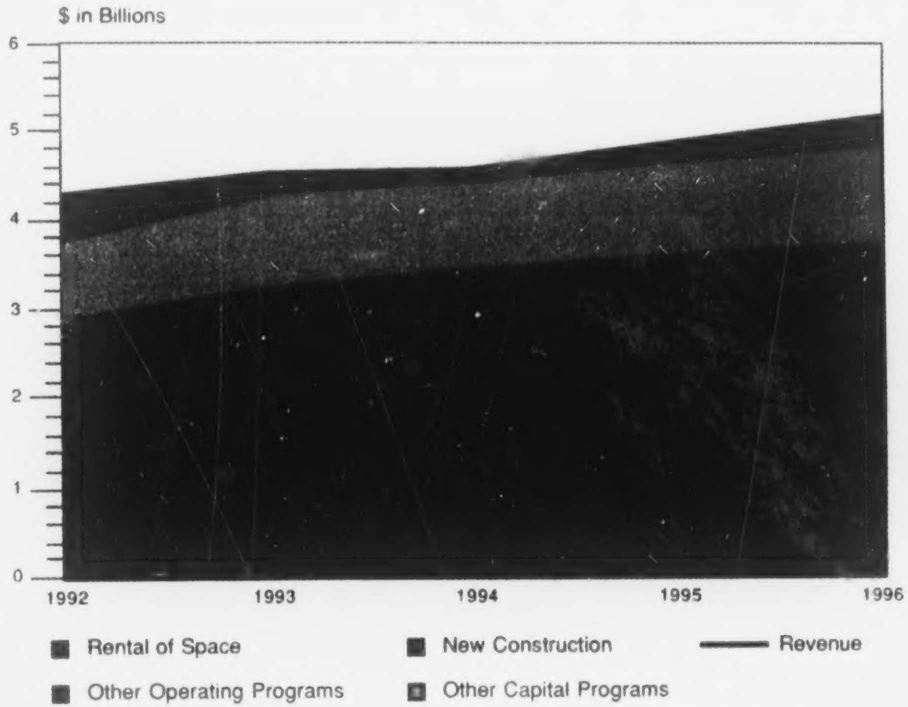
Senator MOYNIHAN. Well, Harry, there are some things we haven't done wrong.

Senator REID. That's not bad.

Senator MOYNIHAN. No.

Mr. AUSTIN. Achieving this ambitious program will require significant commitment of resources to new construction. The Public Buildings Service has projected its operating, lease and repair and alteration costs and rental income through fiscal year 1996. As you can see from the accompanying chart, GSA's rental expenses represented by the blue area are expected to increase more than $500 million to approximately $2.2 billion in fiscal year 1996.

Federal Buildings Fund Programs



Mr. Austin. It is projected that $1.3 billion will be available for GSA's capital programs in 1996. Of that amount, $800 million will be required for repairs and alterations; $200 million will be required for installment payments and slightly less than $300 million will be available for actual new construction.

Mr. Chairman, before describing GSA's program to insure excellence in public architecture, I'd like to take a moment to discuss the Federal Triangle Project. As you are aware, we have recently reconsidered the housing plan for the Federal Triangle Building. The Environmental Protection Agency is currently located in four separate sites with their primary headquarters at Waterside Mall in Southwest Washington. This lease will expire in 1992 and we need to relocate the agency as quickly as possible into a single, consolidated location.

Senator Moynihan. Say that once again, sir, so I have it clear. The present EPA lease expires in calendar 1992.

Mr. Austin. Yes, sir, at Waterside Mall.

Senator Moynihan. Next year?

Mr. Austin. Yes, sir. Accordingly, the Federal Triangle Building will house the EPA, with concurrence of this committee, as well as the Woodrow Wilson Center and the International Cultural and Trade Center. We had previously considered the United States Information Agency and the Department of Justice as a lead tenants for this building. We now believe, however, that the Department of Justice expansion and consolidation requirements can be best accommodated in a combination of other downtown and suburban locations. Also, we believe the total consolidation of the USIA can be effectively accomplished at our new Southeast Federal Center development.

Federal Triangle Building Housing Plan

International Cultural and Trade Center	500,000 SF
Environmental Protection Agency	1,255,000 SF
Woodrow Wilson Center	50,000 SF
Joint Use Space (to include Child Care and Fitness Centers)	55,000 SF
	1,860,000 SF

Mr. AUSTIN. The EPA housing requirements are more urgent in timing and the USIA can more readily be accommodated at its current location until the Southeast Federal Center is ready for occupancy in the 1997–1998 time frame.

My staff has prepared a 30-year econometric cost comparison of the two housing scenarios, that is, either EPA as the lead tenant or USIA and Justice as the lead tenant. There is no significant cost advantage of one housing scenario over the other. Therefore, I must determine the housing plan for the building based on the overall best strategy for enhancing the efficiency of the client agencies that I serve. I believe the best solution is to consolidate EPA into the Federal Triangle Building as soon as possible.

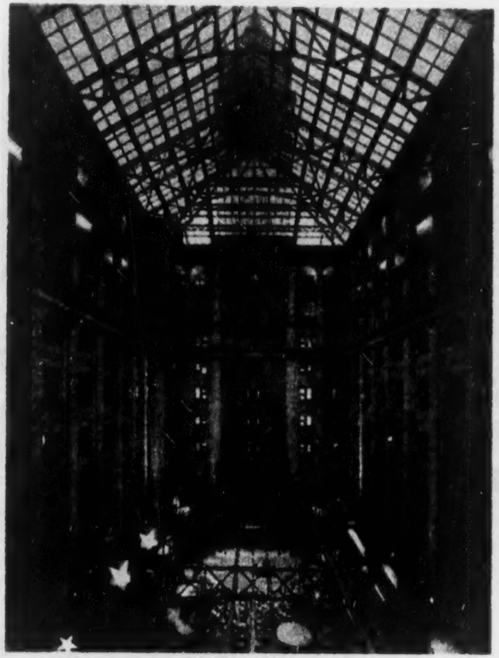
In order to validate our analyses for these issues, I've commissioned an independent consultant who has reviewed and certified our methodology for the econometric analysis.

With reference to GSA's design program, as part of our strategic plan, PBS has also committed to delivering high quality, well-designed facilities to all of our clients. As you so aptly pointed out during the 1990 design award ceremonies, the use of design competition and increased public access to design proposals are important tools for insuring the best public architecture.

GSA strongly supports the use of design competition as a means of challenging the architectural profession to produce excellence. It will also focus national attention on quality public architecture and increase the public awareness of, and demand for, high quality design within our communities. Additionally, competition will allow new and young architectural firms to compete directly with the more established firms, thus broadening the professional interest in GSA's projects.

GSA's design build procurement already includes design competition as a major factor in the selection process. GSA also plans to increase the use of design competition for traditional architectural and engineering procurements. Such competitions will focus on projects of national or local significance where the Federal Government has the greatest opportunity to enhance the local environment, manifest the presence of the Federal establishment in the community, and strengthen the public's positive identification with their Government. Such projects will range from new Federal agency headquarters here in Washington, D.C. to new U.S. courthouses throughout the Nation.

Design Competition and Public Access to Design

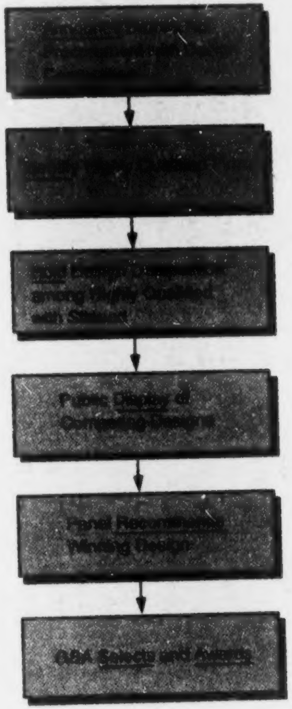


Old Post Office
Washington, DC

Benefits:

- Challenge Architectural Profession
- Broaden Opportunity and Competition
- Focus Attention on Quality Design
- Strengthen Local and Federal Community Relations
- Promote Communication

GSA Design Competition with Public Access


[illegible]
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Public Display of Competing Designs
Panel Recommends Winning Design
GSA Selects and Awards

Mr. AUSTIN. With regard to public access to design proposals during the competition process, GSA's new design competition process for traditional architectural and engineering procurements will insure such access. The process will start with the announcement of a Brooks Act procurement with design competition in publications such as "The Commerce Business Daily," and other professional journals.

The GSA panel will identify the highly qualified firms among all those who express interest in the competition. The highly qualified firms will compete in a blind competition and be provided a stipend for their efforts. After GSA receives the designs, they will be displayed in a public location for viewing and comment. Shortly thereafter, a panel of private sector experts will convene, deliberate and advise GSA of their recommendations on the designs. GSA will then consider the jury's recommendations along with public comments before making a final selection and entering into a contract with the chosen firm.

Regarding a negotiated procurement such as design build where there are regulatory prohibitions against public disclosure of design proposals prior to award, GSA will undertake the necessary regulatory changes to permit public access to those proposals.

Mr. Chairman, I believe the General Services Administration has made great progress in defining its strategic objectives and mapping a strategy to achieve them. While we've made many significant advancements, much more needs to be done.

GSA appreciates the subcommittee's interest in the Public Buildings Service's programs. We look forward to working with you as we continue to carry out our strategic plan. I want to thank you and your colleagues for all of the support that you have given us and again, Mr. Chairman, I appreciate having the opportunity to appear before you today. I'd be pleased to answer questions.

Senator MOYNIHAN. Could I ask your associates just to go back to that last column?

First of all, Senator Reid has joined us as he always does. Senator Reid, would you like to make an opening statement?

OPENING STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM THE STATE OF NEVADA

Senator REID. Mr. Chairman, I have a statement and we'll make that a part of the record.

[Senator Reid's statement follows:]

OPENING STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM THE STATE OF NEVADA

Mr. Chairman and members of the subcommittee, it is my pleasure to attend this morning's hearing to consider GSA prospectus proposals and GSA's design procurement process. I want to welcome Mr. Richard Austin, Administrator of the General Services Administration and Mr. Ralph Mecham, Director of the Administrative Office of the United States Courts. Both gentlemen are knowledgeable about the space and facilities needs of Federal employees, the judiciary and communities in Nevada.

I have participated in many of this subcommittee's hearings involving the Federal buildings program. Hearings have involved GSA's appropriations requests, facilities needs of Federal judges, the International Cultural and Trade Center, and general financial questions about how the Federal Government acquires and maintains office space.

On more than one occasion before this subcommittee, I have mentioned the shortage of adequate office space for Federal workers in Las Vegas, NV. The Las Vegas area is one of the fastest growing in the United States. Increased growth has created a "space crisis" and the associated costs increases to lease office space. Fortunately, some innovative financing mechanisms have been utilized to address the space shortage in Las Vegas. I comment GSA for a job well done.

Unfortunately the space crisis exists in Northern Nevada as well. For several years, the United States District Court, located in Reno, NV, has experienced severe growing pains. The General Services Administration has recognized the problem and given it priority status. The GSA prospectus sets forth the plan to build an annex adjacent to the existing Federal Building—Courthouse. Members of the U.S. District Court prefer an alternative which would move the courthouse to downtown Reno, which would more effectively serve the needs of the Northern Nevada community.

In his testimony, Mr. Mecham asks GSA to modify the proposal to satisfy the concerns of the judges and legal community. I understand that GSA officials in Region IX met with the Federal judges in Reno earlier in the week and may have favorably resolved the matter. I hope this is the case and look forward to Mr. Austin's comments. We will all benefit if innovative and cost-effective approaches are implemented for managing the government's vast property. Thank you.

Senator **Reid**. I'm here for a couple of reasons. One reason is to indicate publicly how important I think it is that we have someone like you that's watching over the construction of these public buildings. In the statement the architects are going to make, they note that you've been interested in this for 30 years—since 1962, you've been interested in this. I think it is important that there will be a more significant change to Government-owned, from leased properties. One of the main reasons for that is the Federal Triangle which you have been instrumental in accomplishing.

So one reason I'm here is to acknowledge publicly appreciation, even though a lot of people don't know they should appreciate it, they should, your involvement here because I think that what has been done in Washington under your direction with the Pennsylvania Avenue Development Corporation and the Federal Triangle is something that the history books will subsequently write about.

The other reason I'm here today is to talk a little about a prospectus that's being submitted for a facility in Reno that is on the GSA's list of being constructed which I appreciate. We're going to hear from the Director of the Administrative Office of the Courts, Mr. Mecham. I think with all the problems we see with the people in the area who don't want any more construction, what the courts have indicated they want is appropriate and I want to acknowledge that to Mr. Austin and to the committee.

Senator **Moynihan**. We'll work that out.

Senator **Reid**. Thank you very much.

Senator **Moynihan**. Thank you, sir.

I wanted to say a couple of things. First of all, the public never says its thanks very well and it never says its thanks very well to the Director of the General Services Administration. Sir, you have just been superb at this work, and you are superb. Pay attention to the actuarial tables that say you only have 3 weeks left life expectancy, you've done so much already.

I want to call attention to your statement that you feel that the Environmental Protection Agency should be the principal occupant of the new Federal Triangle Building.

Mr. **Austin**. Yes.

Senator **Moynihan**. The Federal Triangle Building which is the completion of the Federal Triangle was to be started in 1931, it was not, it's been a parking lot for 60 years. No one need say we are a compulsive people, we've just let it be a parking lot for 60 years—a billion dollars worth of real estate.

We're going to put up an extraordinary building. I put in the Congressional Record yesterday the review, if you like, of the Federal Triangle Building by Benjamin Forgee of the Washington Post. It was far beyond anything we could expect and anything we've seen about Federal architecture in a long time.

He says of the interior space, that is the equivalent of the park that was sort of intended to be there, the great atrium, he concludes his piece by saying that it looks in the model to be "breathtaking and even spellbindingly beautiful. It could become one of the great interior attractions of the world."

Now, we're doing that on your watch. Senator Chafee, our distinguished ranking Member, has arrived. I was just saying to Mr. Austin that the public never says its thanks very well, and certainly never says it very well to the head of GSA.

Senator **Chafee**. No, no one says nice things about GSA.

Senator **Moynihan**. But Mr. Austin has given us a plan, Senator Chafee, which shows an issue we've been at, you and I, for 15 years. This is the chart of the federally-owned occupied space going down, down, down to 57 where it is. He wants to take it back to where it was at 75.

We have before us a proposal that he has just made that EPA be the principal occupants of the Federal Triangle Building. I was just, as you came in, saying that I put in the record yesterday Benjamin Forgee's review of the building in which he says——

Senator **Chafee**. You can't beat that.

Senator **Moynihan**. You can't beat that.

Senator **Chafee**. Give him the last lines. He went overboard a little bit. Read him that last line.

Senator **Moynihan**. "It looks in the model to be breathtaking and even spellbindingly beautiful. It could become one of the great interior attractions of the world."

Senator **Chafee**. Now, how is that? I'm used to hyperbole in the job I'm in, but to describe anything, good as though it might be, "it could become one of the great interior attractions" not in the District, not in the eastern USA, but "in the world." That's pretty good.

Senator **Moynihan**. And not about a Government building.

I'd like to say that I think I've consulted with Senator Chafee and with Senator Reid. We'll have to make a statement about this but it is my understanding to be the strong preference of this committee that your recommendation be accepted, that the Environmental Protection Agency be the principal occupant.

The Woodrow Wilson International Center for scholars is a statutory organization that must be placed there and I think it is very handsomely placed. The ICTC is there and there is other space.

I think it would help solidify things if I asked Senator Reid, that is your feeling about EPA?

Senator **Reid**. I think it's tremendous that we would have an agency as large as EPA in one facility where people coming from

Nevada and other places to do business with EPA can do it all in one facility.

Senator **Moynihan**. And there's going to be an awful lot of international work in that area. Senator Chafee, is that generally speaking your disposition?

OPENING STATEMENT OF JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator **Chafee**. First, Mr. Chairman, I have a statement that I will submit for the record.

Senator **Moynihan**. We shall insert it at this point.

[The statement referred to follows:]

Opening Statement of Hon. John H. Chafee, U.S. Senator From the State of Rhode Island

Mr. Chairman, I would like to thank you for calling this hearing today. It is imperative that the committee remain vigilant in its oversight of the General Services Administration's Public Buildings Service. Of course, I would like to welcome Mr. Austin and Mr. Mecham to the committee and especially the distinguished panel assembled to give testimony on design competitions.

Before we begin, let me just make one or two points. First, I am especially pleased with the increased oversight role the committee has taken with regard to authorizing building construction, repair and lease projects. In an era of limited Federal dollars dedicated to infrastructure, the committee has an obligation to focus on the most pressing space needs of the Federal Government. And this brings me to my second point. GSA must establish and articulate a longe range priority plan for delivery space where it is most needed. There is a real need for Federal office space in many parts of the country, yet I am not aware of any system for ranking those needs.

And so, Mr. Chairman, I call on GSA to provide that priority framework, and I look forward to the testimony.

Senator **Chafee**. You're talking about the allocation of the square feet. Well, Mr. Austin and I have talked about this and as you know, Senator Percy—in fairness, he has no representative here today?

Senator **Moynihan**. No, but not space per se, but the question is what principal agency should be there?

Senator **Chafee**. Oh, I don't think there's any argument over that. The problem comes—and Mr. Austin is hip deep in this—with the situation that Senator Percy's group has which is called The International Cultural and Trade Center Commission, is it?

Senator **Moynihan**. ICTC is as it comes out easiest.

Senator **Chafee**. As I get the problem in talking with Senator Percy, who unfortunately is out of the country right now, they seek additional space, is that right, Mr. Austin?

Mr. **Austin**. Well, not the Commission itself, sir. They are capped by laws to the allocable space that they can have. What the Senator is discussing is what he perceives as space which would contribute to his perspective of ongoing operations for the International Cultural and Trade Center.

Senator **Chafee**. He has outlined it to me that this is sort of a one stop shopping spot for those who are interested in the international trade and the hangup seems to be—and I think it is important that we get these problems out because Senator Percy has spent a lot of time on this matter—is on the Passport Office which he would like to see over there and I guess USIA likewise?

Mr. **Austin**. Senator, he's not shared with me his exact list or his latest list. I can only reference what at one point in time was a proposed housing plan which has changed now in subsequent revisions. As I understand it, the Senator was looking for some mix between the United States Trade Representative, the Department of Commerce, the Department of Agriculture, the Department of State, and INS perhaps from the Department of Justice.

With the current mix now changing, and with some individuals expressing an interest not to proceed on with being considered to be in the building, that mix has changed dramatically. The only prevailing agency we currently have now that has indicated that they would like to maybe come into the center is that of the State Department. Agriculture has withdrawn theirs, the Trade Representative has withdrawn theirs, Commerce has reduced theirs down from 20,000 square feet to 2,000 square feet and now has said, well, we're just across the parkway, we really don't even need to be there. So everything is switching downward. Given the current housing plan——

Senator **Chafee**. Looking at it from Senator Percy's point of view, what he originally thought might want to come in, that's what you are describing?

Mr. **Austin**. Yes, sir, and it has changed dramatically.

The other issue on that, Senator, is that when you start looking at the consolidation, we could not house all of USIA with that kind of a configuration of State, Agriculture and others in that facility. Nor could we put all of EPA under that kind of configuration.

Therefore, what you do then is lose the cost effectiveness or the benefits of the consolidation because you would have off-site leasing still taking place for either one or both agencies.

Senator **Chafee**. Well, what are we deciding today?

Senator **Moynihan**. We're not deciding anything but I would hope the three of us just might informally indicate that of the U.S. Government departments, that Mr. Austin's recommendation that EPA be the principal tenant is agreeable to this committee.

Senator **Chafee**. Absolutely. Let me just say this, Mr. Chairman, I agree with that and I have no problem. Senator Percy has spoken to me several times about this and I must say I haven't concentrated on it and he's worked hard and his group has likewise, and I know you're sympathetic to this. I'm not saying we can change anything, and there's no argument over EPA being the principal agency to occupy it, that's fine.

Personally, I know that Mr. Austin has very good arguments and I'm not disputing any of his arguments, but in fairness to Senator Percy, I feel an obligation to become more familiar with this myself, not that it's going to affect anything, and if something could be worked out that would accommodate him in a better fashion, well, then I'd like to be able to get back to you, Mr. Chairman, and to you, Mr. Austin.

Senator **Moynihan**. Let's just ask Mr. Austin, as between 500,000 and 1,225,000, there's flexibility.

Mr. **Austin**. There is some potential flexibility. The 500,000, Mr. Chairman, for the International Cultural Trade Center, is established by law. That's less flexible perhaps than those below the line.

Senator MOYNIHAN. Fine, and the 50,000 for the Woodrow Wilson Fund, 55,000 for the gym and child care, you know, it's a big building. This building will have half the floor space of the Pentagon.

Mr. AUSTIN. Yes, sir.

Senator MOYNIHAN. It's going to be a real event. I wanted to make one other comment. If we go back to that series of boxes, I couldn't be more enthusiastic and I know our next panel will be after we hear Mr. Mecham, that in this sequence of design competition, I see you have a public display of competing designs. I just think that's wonderful because there is nothing the public owns more, no public aspect of Government more than its buildings.

The audience may not know this—and you correct me if I have it wrong—we procure buildings in the same manner that we procure light bulbs or uranium or armored personnel carriers, by secret bidding.

Mr. AUSTIN. Yes, sir, the process is very similar.

Senator MOYNIHAN. Yes. No competitor may know what another competitor is doing and nobody else may know except the purchasing agents of the U.S. Government.

If you go in to see a model—and I think you've probably done this, Senator Reid—we can walk over across the hall to the Intelligence Committee and find out all the secrets in the world just on our say so, but try to get to look at a proposed model of a Federal building, you've got to sit down and produce your ID—Mr. Mecham will tell us that, Mr. Holmes will tell us that—you've got to sign pieces of paper, and if you sign the wrong pieces of paper, presumably you go to jail, which is just sort of an odd way to pick something that's going to be there in Reno for 100 years.

Senator REID. Mr. Chairman, it would be a shame if we did by lowest bid, wouldn't it?

Senator MOYNIHAN. I think lowest bid would be not the best idea either, but to give the people in Reno a look at the choices. I don't know quite how you do it but there it is, to say, OK, you've got these three things or whatever, anybody got any views? What does the city council think, what does the mayor think. Do you have any thoughts on that?

Mr. AUSTIN. Well, we can protect the procurement process by anonymity in terms of who's making the offerings, and by private comment coming in from the public. Secondly, we augment that process, Mr. Chairman, by the selection of a panel of experts from the community and depending upon the size of the project—obviously if it's a world class competition similar to that of the Federal Triangle, we would bring together a broader-based community; perhaps for Senator Reid's area, there would be a broad base of State and local representation on the panel—to make the private selection. That will then come to GSA or they will make a recommendation. Both processes will then come back to GSA, be integrated into the selection process in confidence, in private, thereby holding the process pure and clean and yet still having public input from two sides, one from the community base and one from the professional base on the project itself.

Senator MOYNIHAN. We're going to hear about this from our next panel.

Senator Metzenbaum wishes to make some queries of you and he can't be here at the moment. I'll ask you to prepare some questions and writing and if need be, we'll ask you back on a convenient occasion.

Mr. AUSTIN. Look forward to it.

Senator MOYNIHAN. Just one announcement. We're getting a lot of noise from suspicious quarters about our Federal Triangle Building because we are, in fact, reducing the amount of leased space. That is the policy of this committee and of the Administration and anybody in the audience just be a little more understanding, we're going to build this building and our rent bill is not going to go to $3 billion on our watch.

Mr. AUSTIN. It will go down.

Senator MOYNIHAN. And it will even go down.

Senator CHAFEE. Mr. Chairman, I have a couple of questions, if I might.

Mr. Austin, yesterday we had a group testify before us—we had some hearings on global warming and we heard from the Alliance to Save Energy—they issued a report which is entitled, "Energy Use in Federal Facilities, Squandering Taxpayer Dollars and Needlessly Polluting Our Environment." Are you familiar with that?

Mr. AUSTIN. I am familiar with our efforts to conserve energy and what we've done since 1975 in that area, yes, Senator.

Senator CHAFEE. But I mean, have you seen the charges that the Alliance has made?

Mr. AUSTIN. I have not seen them in the specifics, nor do I know that they are oriented directly at GSA or at the Government as a whole. I would hope, Senator, that if they were leveled, they would be at the Government as a whole with perhaps some exceptions for some of the efforts GSA has put forth.

Senator CHAFEE. That's right. It's not targeted against you, it's against the Government as a whole—lack of demonstrations of new technology in the power of Federal purchasing. Here's something on Federal buildings, "energy use per square foot in Federal buildings, BTUs" and how are you doing, just briefly describe for the record, if you would, and for our benefit the steps you've taken.

Mr. AUSTIN. Surely. In anticipation of this question, let me read to you some specifics as to our current progress.

GSA has reduced energy consumption from 135,545 BTUs gross square foot in 1973 to 76,300 BTUs gross square foot in 1985, a 43 percent reduction. Through petroleum use reduction programs, GSA's petroleum use in Federal buildings was reduced by 76 percent between 1973 and 1985.

Senator CHAFEE. My gosh, that's some reduction, a reduction of 76 percent.

Mr. AUSTIN. Currently oil provides only 4.5 percent of the energy used in GSA buildings. Our present program for GSA to meet the goals of the Federal Energy Management Improvement Act of 1988 is to develop a comprehensive strategy for meeting energy reductions outlined in the public law.

First, establishment of an Energy Usage Analysis System Management Center in Ft. Worth, Texas with the capability of monitoring and analyzing energy used in GSA buildings nationwide; advising GSA regions on energy trends and determining the correct energy rate structures are in place.

Two, identifying and implementing energy conservation projects, performing surveys on GSA real property to identify energy conservation, provide specific funding to implement these conservation projects—$10 million in fiscal year 1990, $30 million in fiscal year 1991—similar funding to be allocated in future years, improving building efficiency by insuring that our buildings are being operated most effectively, coordinating with our client agencies to increase energy awareness, development of incentive and lease programs to lease buildings to make energy conservation improvements, also developing and assessing large energy conservation projects by design build efficiencies, energy conservation will be achieved without affecting the comfort, health and safety.

Senator, I could go on and on and on. Let me, if I may, in more specifics, share with you both what we've accomplished, where we've accomplished it, and what we see as our future.

One of the problems that we have is that we've done so very well in so many areas that as we begin to look at how we are going to achieve the additional 10 percent that we're committed to under the 1988 Act, really is becoming a challenge for us.

We have started relighting facilities to reduce energy consumption in that process.

Senator CHAFEE. Again, in that area, obviously if you pay more for something you may get less consumption in the end—light bulbs, for example. If you buy a more expensive bulb, you're a winner in the end.

Mr. AUSTIN. Well, actually, we do the econometrics to see what our payoff is and in many instances, we're experiencing a 1–2 year payback.

Senator CHAFEE. Is there anything that you think we should do or that anything additional should be done to encourage the agencies themselves—not you who necessarily build the building or run the building but your tenants?

Mr. AUSTIN. Senator, not necessarily from this committee at this point in time.

Senator CHAFEE. All right, shifting gears, an area that you are familiar with, the historic courthouse in old San Juan that you and I have worked on together, and I appreciate your help, it's my understanding that no funding was requested to begin renovation of that old courthouse in your 1992 budget.

It's furthermore my understanding that the building will be vacant and if you're going to request it in the 1993 budget, the building will be vacant for an interim period there.

Senator REID. Is that San Juan, Rhode Island?

Senator CHAFEE. No, this is a fringe interest of mine.

Mr. AUSTIN. Senator, as I understand it, we are coming for funding in 1993, but it's also my understanding under a personal letter that I even sent to the circuit judge there, that he could occupy that facility until such time as we actually begin the reconstruction of it, so I don't believe it will be actually vacant.

The courts will have relocated, the U.S. District Courts will have relocated to their new facilities out in Hato Rey, but I believe there'll still be a presence in that facility during that time frame.

Senator **Chafee**. If problems come up, I'll be back in touch to talk about them.

Mr. **Austin**. Thank you.

Senator **Moynihan**. Senator Metzenbaum.

OPENING STATEMENT OF HON. HOWARD M. METZENBAUM, U.S. SENATOR FROM THE STATE OF OHIO

Senator **Metzenbaum**. Thank you, Mr. Chairman.

Mr. Chairman, I'm glad you are holding this hearing today regarding GSA's pending projects. Since joining this committee, I've become increasingly concerned about the way GSA goes about its business. I just don't believe GSA is getting the best bang for its buck.

I've had the opportunity to meet with Administrator Austin on a few occasions over the past several months. Let me just say that in my experience very few Administration officials have been more accessible or more cooperative than have you, Mr. Austin. I certainly appreciate his willingness to hear me out.

I certainly and sincerely believe that Mr. Austin is trying to do the best job he can, but his job is a difficult one. He presides over a very large bureaucracy—20,000 employees and a budget of over $9 billion. GSA's overall budget for next year will exceed $10 billion.

Overseeing the leasing and building of Government office space is only part of Mr. Austin's job description and I understand that, but he and the agency he presides over have an obligation to the taxpayers of this nation to insure that the money they spend for such office space is money well spent. Frankly, I'm concerned that this isn't always the case.

The price tags on some of GSA's projects appear to be way out of line with current private sector prices for real estate and construction. This week the General Accounting Office released a report on GSA's proposal to build a Naval Command Center in Northern Virginia. GAO concluded that GSA's pricing of the project was on the high side. Let me read directly from the report's conclusion. "We believe GSA's estimate for the first million square feet of occupiable space may be high."

It is no secret that my interest in GSA's pricing practices was stirred last year when this committee reviewed the prospectus for the Navy project. I became very curious when I saw how the price tag for that project had bounced around like a ping pong ball.

First, GSA and the Navy wanted $821 million to build 3 million square feet of office space. That translated into roughly $275 per square foot including land costs and that's and outrageously high figure. According to RS Means Company, the acknowledged pricing expert for construction projects in the Nation, the cost to build comparable office space in the D.C. Metropolitan Area is somewhere between $64 and $84 per square foot against the $275 figure that the Navy has come up with.

Although these figures do not include land costs you can still see that the gap between the GSA figure of $275 and the industry's own range of $64 to $84, but let me say the ping pong ball kept bouncing. The price tag for the Navy project changed again. Next we had a figure of $679.6 million for the same 3 million square feet for the project, only this time land costs were excluded.

Next the project was scaled back and lo and behold, we had a request of $300 million for 1 million square feet of occupiable office space and a commitment to lease and then purchase an additional million square feet of space. Although the project was scaled back, the actual square footage costs increased from $275 to $300 per square foot.

I objected to that proposal when it came up in the committee last year. Senators Warner and Moynihan were good enough to work out a compromise with me and we agreed to authorize only $240 million for a 1 million square foot building. We agreed to let GSA and the Navy come back to the committee for additional space and money, but I've got to say I still remain extremely uncomfortable with GSA's pricing of the project.

I've checked around, I'm absolutely convinced that GSA overpriced it. Private developers who I might add have no interest or connection with the Navy project tell me that comparable office space in the Washington Metropolitan market can be constructed for $75 to $90 per gross square foot. They tell me that at the very high end perhaps constructing a corporate headquarters with a full executive amenity package would cost no more than $125 per square foot.

GSA's estimates for the land were also absurdly high, unbelievably high. GSA estimates the land would cost $78 a square foot for acreage out in the country. Again, no private developer thought that was accurate. It is just unbelievably high, $78 a square foot for acreage. In Cleveland today, land which is not comparable—and I admit that—but the fact is that today I know of a project going forward for the leading newspaper in the community, the only newspaper, is going for somewhere between $78 and $150 an acre as compared to $78 a square foot in the Navy project.

I fear that GSA's pricing for the Navy project may speak volumes about the way the agency prices all of its projects. While I haven't analyzed GSA's other pending projects as closely as I have the Navy project, I still am worried. GSA's request for over $500 million to build approximately 2 million square feet of office space for new Department of Transportation Headquarters seems very expensive. So does the request for $100 million to construct the new FBI field office in the District of Columbia. That construction project involves approximately 230,000 square feet of office space.

I could go on about the other projects, but I'll save that for the round of questions later but I gather there won't be any. Let me just repeat, I am worried. Everything suggests that GSA is pricing its projects to high. Indeed, the GAO report I referred earlier on states that of 10 recent GSA projects examined, GSA costs estimates exceeded subsequent contracts awarded by an average of 9 percent. If you look at a breakdown, you'll see that actually it runs as high as 20 and 40 percent on some of the projects.

I can only say this, perhaps GSA wants to build in a cushion so it won't have to come back to Congress to seek more money should a project turn out to be more costly than originally anticipated. Perhaps GSA is not using sound business practices in pricing these projects. I have no reason to believe that there is anything illegal or improper going on, but I do believe that overpricing is occurring and that taxpayers' dollars are being wasted.

I believe we need better oversight of the GSA and that the GSA must be held more accountable on these pricing issues. I hope my colleagues will join me in seeking ways to insure that monies spent on GSA projects turns out to be money well spent and I look forward to working with Mr. Austin and other members of this committee.

We talk about cutting the Federal budget, the dollars that the GSA spends are part of that Federal budget and I think that we need much more oversight than is presently present.

Senator MOYNIHAN. Senator, that is one of the reasons we welcome you to this committee. When it was not clear that you would be able to break away in time from your other hearings, which you probably have to get back to, I mentioned to Mr. Austin that you would have questions in writing, so in any event, you might want to put some questions in writing and we'll continue this. I'm sure Mr. Austin would welcome it.

Senator METZENBAUM. I appreciate the Chairman's cooperation and I think we're all trying to work towards the same end. With all due respect, I feel that Mr. Austin, we've had some conversation as of yesterday, has given me some assurances with respect to the Navy project that I'll let him address himself to at the appropriate time, but I'm pleased at his spirit of cooperation and I don't come here in a combative mood or confrontational mood, but rather to indicate my concern as a member of this committee and hope we can work it out.

Senator MOYNIHAN. That's the spirit I think which Mr. Austin and Mr. Coleman have come here. Mr. Coleman, can we just acknowledge your presence here? Thank you, sir. We will tend to your proposals at our first business meeting of the committee as we say. We very much appreciate all your associates and we look forward to this continued cooperation. It was nice to find that we are building the most—I'll say it again—it could become "one of the great interior attractions in the world."

Mr. AUSTIN. Mr. Chairman, let me say again, from my perspective personally and as Administrator, we appreciate your support and the support of all the members of the committee and while we may disagree, we'll do that without being disagreeable and we look forward to the opportunity to work together. Our goal is very similar, to build a cost efficient building that will help our clients, the Federal Government, accomplish their mission.

Senator MOYNIHAN. We now have a quantified goal, we want to get back to the 75 percent owner occupied, Government occupied rate that we had in 1960 and it will save a billion dollars a year.

Thank you, sir.

Senator MOYNIHAN. We next have the great pleasure of hearing from the Honorable Ralph Mecham who is the Director of the Administrative Office of the United States Courts. Mr. Mecham, you earlier introduced Judge Robert Broomfield of the U.S. District Court of Arizona. Your Honor, it is a very great courtesy for you to be here. We welcome you. You're not under oath in this place, but you proceed exactly as you like, sir.

STATEMENT OF L. RALPH MECHAM, DIRECTOR, ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, ACCOMPANIED BY HON. ROBERT BROOMFIELD, JUDGE, U.S. DISTRICT COURT FROM THE STATE OF ARIZONA

Mr. MECHAM. Thank you, Mr. Chairman, members of the committee. It's a privilege to be here.

Let me just say that Judge Broomfield, District Court Judge from the State of Arizona is also Chairman of the Space and Facilities Committee for the Judicial Conference of the United States. He has done more along with his predecessor, Judge Robert Vance, who you may remember was assassinated at his home about 2½ years ago, to advance the cause of planning and preparation and facilities management for the judiciary of any judge we've ever had, so we're grateful to have him here.

Normally, he would be our spokesman. It was purely providential that he was in town and he was kind enough to join me and make sure I didn't make a lot of mistakes, so we'll proceed.

May I first thank you and secondly, submit my statement for the record, if I may, and then briefly summarize it, if I could.

Senator MOYNIHAN. Your statement will be included in the record.

Senator REID. Mr. Chairman.

Senator MOYNIHAN. Senator Reid.

Senator REID. I'm wondering if I could be excused and give to you my proxy?

Senator MOYNIHAN. I will accept your proxy with great appreciation.

Senator REID. Thank you very much.

Mr. MECHAM. May I say that Judge Hug and Judge George who have met with Senator Reid are delighted that, as he said, he's become a recent convert to their proposal and we thank you, Senator.

Before I get to the main body of my statement summary, may I just say that the Moynihan/Burger Building is alive and well on Columbus Plaza by the Union Station. It's ahead of schedule and below budget. We believe that it will be occupied on time on October 1st of next year on Columbus Plaza which will enable us to celebrate the 500th anniversary of Columbus' discovery and voyage to the United States. Thank you for your help in that very important project.

Senator MOYNIHAN. And we thank the Architect of the Capitol.

Mr. MECHAM. He's been a key leader in this entire thing and we've been pleased to work with him.

Also, with respect to the statement I'll make, GSA's been most attentive, cooperative and helpful. We're not here to do any GSA bashing but rather to support their efforts on our behalf and perhaps add to them.

First of all, I'd like to mention that we now have new judicial space standards. Judge Broomfield was here to present the results of a 3½ year study of judiciary space needs and of the standards that ought to be required in guiding the judiciary and GSA in what the judiciary's design needs are. He successfully steered his committee report through the judicial conference this week. The new standards have now been approved, and we feel we can now offer better planning to this committee and to the GSA, and also develop more firm construction cost estimates for the future in terms of our needs.

Senator MOYNIHAN. Now, sir, that does not directly concern this committee. What you're doing is internal to the administrative process and you bring that result to us.

Mr. MECHAM. Indeed. It will be in the form of prospecti, we hope, from GSA. We hope they will modify them in keeping with our new space standards.

The second thing is we now have every court in the process of preparing long range as well as short range facility requirements for the judiciary and that process is new, again under Judge Broomfield's leadership, we're off and running.

Basically, if I may summarize, Mr. Chairman, I'm here to request that three projects be added to the GSA's capital program for fiscal year 1992.

Senator MOYNIHAN. Would you just name those?

Mr. MECHAM. I'd be pleased to. Long Island would be the first for obvious reasons and it's very important. We have a new courthouse that is proposed for the Eastern District of New York in Long Island and we're aware that you and Senator D'Amato have asked GSA to work with the Eastern District. We have a critical space shortage. You have asked, and we have asked, GSA to submit to Congress a proposal for a new courthouse in the eastern part of the Eastern District. It does not appear in the fiscal year 1992 program; we would hope that it would be added, approximately 450,000 occupiable square feet would be required.

I should also mention to you, Mr. Chairman and Senator Metzenbaum, that there is a similar need, although not as dire but very critical, in the Brooklyn area for the Eastern District. The judges working with GSA have selected what they feel would be the best option: to use a U.S. Postal Service historic building there after renovating and remodeling. We hope that can be done. If it can't be done, then the judiciary would like to propose a new courthouse in Brooklyn of approximately 790,000 occupiable square feet.

Senator MOYNIHAN. You all reach your own judgments on that and tell us.

Mr. MECHAM. Right. We'll be pleased to get back to you on that.

The second one relates to Tampa, Florida. There is an urgent need for a new courthouse there. We have new judges under the new legislation which we were pleased Senator Metzenbaum and others got through the Congress, adding 85 new Article III judges.

Senator MOYNIHAN. I want to lay it down as a rule in this committee that there's no point in creating judges if you don't give them a courtroom.

Mr. MECHAM. Thank you. We appreciate that. We've had judges go 5 and 6 years without even having a courtroom or chambers of their own. Sometimes they are in leased space, sometimes it takes 2 years to get into leased space. GSA is doing a better job in that area, they are planning with us and we all are able to do a better job, I think.

So Tampa is in need of a new building, about 559,000 square feet. St. Louis is in terrible quarters where they don't meet the standards for a fully functioning judicial facility because of inadequate size, lack of space for support staff, lack of space for the Bankruptcy Court. The Bankruptcy Court is being forced to relocate to leased space and there is insufficient space for jury assembly and for conference rooms for attorneys. A new courthouse for St. Louis is not in the GSA plan for fiscal year 1992. We would hope that the committee would consider adding a new building in the capital program of 840,000 occupiable square feet.

Then we hope the following prospectuses would be amended. One would be Portland, OR. We ask that the size of the facility presently being planned be increased from 125,000 occupiable square feet to 370,000 square feet. I can assure you that Senator Hatfield and others are very interested in this, as is the judiciary.

Senator MOYNIHAN. Senator Packwood?

Mr. MECHAM. Senator Packwood also. Thank you. We knew for sure about Senator Hatfield.

Sacramento, CA, is another one. We would hope that you would amend the prospectus——

Senator MOYNIHAN. Now we're just talking about amending?

Mr. MECHAM. Yes.

Senator MOYNIHAN. We've already agreed to these courthouses but we're having trouble locating them and sizing them?

Mr. MECHAM. Yes. There are prospectuses before you and we would propose amending them.

Senator MOYNIHAN. Good. Got you.

Mr. MECHAM. The court and GSA have both agreed that the current prospectus for Sacramento, CA, is inadequate and will not meet the long range plans of the courts. We have proposed an interim solution utilizing some funds that are available already to meet interim needs, and then, in the long term, for fiscal year 1992, a multistory addition to the new building would be required of about 200,000 square feet.

You already heard Senator Reid about Reno. We endorse what he wishes to do. I won't elaborate further on that.

Senator MOYNIHAN. That's done.

Mr. MECHAM. In Portland, ME, we request that the committee modify the pending prospectus to take care of a new judge that was added there through the good efforts of Senator Mitchell and others. We estimate that about $2 million should be added to the prospectus to take care of that.

One thing in conclusion, Mr. Chairman, we thank you for your introduction last year of S. 2837, a bill which would enable the judiciary to control its own fate more directly in the area of space and facilities. We look forward to working with you on that legislation, and thank you for the privilege of being here.

Senator MOYNIHAN. You're very kind, sir. Judge Broomfield, would you like to say anything, sir?

Judge BROOMFIELD. Mr. Chairman, I'll take almost none of the committee's time. I'd like to say but three things.

On behalf of the judiciary, I can express to you our view about the quality of this man's service to the judiciary, and particularly in the area of space and facilities. I think I have the right as the Chairman to indicate he enjoys our highest confidence and you can accept any representation that man makes to you.

Second, we appreciate, Mr. Chairman, your introduction of the legislation last year with respect to independent real property authorities and we look forward to working with you again, sir.

Senator MOYNIHAN. That is 2837, Your Honor?

Judge BROOMFIELD. Yes, sir, that's it.

The last thing I would say is the judiciary collectively appreciates the work that you and this committee have done with respect to the judiciary building on the Hill. It's rather refreshing to hear that public buildings come in ahead of schedule and under cost. If that represents the kind of effort that can result from a direct relationship with the judiciary to the Congress, we heartily recommend it.

Thank you, sir.

Senator MOYNIHAN. Thank you, Your Honor.

Senator Metzenbaum.

Senator METZENBAUM. Yes, I have one question. You just mentioned the cost of the Justice building. I saw a story in the paper about its cost. I was talking about GSA building at $275 a square foot, what's the cost per square foot for the new Justice Department building?

Judge BROOMFIELD. Senator Metzenbaum, I have so much confidence in Mr. Mecham, I'd better let him answer the question, sir.

Mr. MECHAM. First of all, let me clarify. The reference that Judge Broomfield and I were making was to the Judiciary Administration Building which is right here by Union Station. I cannot speak of the Justice Department.

Senator METZENBAUM. I'm sorry.

Mr. MECHAM. The building has about a million square feet, including the garage area and should cost, including the garage space, plus space for three retired Supreme Court Justices, approximately $100,000. The budget originally approved by Congress——

Senator METZENBAUM. You don't mean $100,000, don't you mean $100 million?

Mr. MECHAM. $100 million, I'm sorry. I wish it were $100,000.

Senator METZENBAUM. $100 million.

Mr. MECHAM. $100 million. Thank you for correcting me. The Congress budgeted approximately $145 million for the building. We believe that we'll come in substantially below that. We think it would cost about $100 per square foot for every foot in the building and the parking.

Senator METZENBAUM. What percentage of the building is parking and what percentage is occupiable office space?

Mr. MECHAM. I am not sure I have that. I can tell you that the parking space includes space for 750 cars and it is underground parking, and 500 of those spaces will go to the Senate employees. Of course you gave up two of your tracts of land, for which we are eternally grateful, and will include 500, but if I may submit that to the record for you, I don't have that right off the top of my head.

Senator METZENBAUM. Thank you very much. Thank you, Mr. Chairman.

Senator MOYNIHAN. One last question of you, sir. A number of judges have come to us asking that there be room made available in the Judiciary Building for the Supreme Court Historical Association and you're planning that, are you?

Mr. **Mecham**. We are very much aware of your interest, Senator, and of the Society's interest. We've been talking to them and to the Supreme Court, the Chief Justice. So far it's very clear that we will have no difficulty moving the study project which is being carried out in the Supreme Court Building to the new building. We're still working with the Society on moving their entire operations into the new building. Knowing of your interest will be an added incentive for us to work out an appropriate arrangement.

Senator **Moynihan**. Thank you, because we have planned this building—you may know this, Your Honor. We're thinking in terms of 100 years here. This is only the second building we have ever built for the court. I'm not sure we ever should have built the first building because they used to hold court just down the hall from us in the Senate and we used to see them all the time, then they went over to that great temple and haven't been seen since.

In any event, we want to do right by the court and we are never more on our honor than to meet your needs because as pertaining to the Executive and the Legislative branches, we can retaliate on against the other, but so far, at least, no Federal judge has ever said, build this building or you'll be surprised at the next decisions we hand down.

We have extra space now and we'll be using it for other Federal purposes and then gradually fill up as the country grows and the court caseload grows. I must say those were dismal numbers you gave us about the length of trial of criminal courts, they've almost doubled—criminal trials have almost doubled, but I'll stay out of that.

Mr. **Mecham**. Drug cases even more than that.

Senator **Moynihan**. Even more than that and I guess you have your share in your court.

Judge **Broomfield**. We're a border district and we have an excessive number.

Senator **Moynihan**. That's what the Eastern District of Long Island is, a border district. That's where Kennedy Airport is. So while we have the space, if we can accommodate the Society, we'd like to.

We thank you so much, sir.

Mr. **Mecham**. Thank you for the privilege.

Senator **Moynihan**. Your Honor, it's a great pleasure for the committee to have had you with us and we appreciate the precedent.

Judge **Broomfield**. Thank you, Mr. Chairman.

Senator **Moynihan**. We now turn in the ample remaining period of our morning to a panel on the subject basically of design. We have persons with us who are imminently able to discuss this matter. We'd like them all to come forward if they will.

In the first case is Mr. Robert Peck who is a member of the United States Commission of Fine Arts, a friend of this committee and well known to us. Ms. Mina Berryman is the Acting Director of the Design Arts Program for the National Endowment for the Arts. Ms. Berryman, we welcome you, I believe, for our first occasion. Mr. Rex Ball is Chairman of the Board of HTB representing the American Institute of Architects. Finally, and to our greatest possible satisfaction, Mr. Brendan Gill is from the *New Yorker Magazine.*

In the manner of our proceedings, all statements will be placed in the record. Each of you proceed exactly as you wish, as long as you like, having in mind that we'd like to hear from you as a conversation as much as just plain testimony and we follow our procedure which is the random way names appear on a list, Mr. Peck, you're first.

STATEMENT OF ROBERT PECK, U.S. COMMISSION OF FINE ARTS

Mr. PECK. Thank you, Mr. Chairman.

I am happy to be here on behalf of the Commission of Fine Arts and its chairman, J. Carter Brown, who could not be here today. In the audience is Mr. Charles Atherton, the Commission's Secretary, who has been Secretary for a long time. If I might just say, Mr. Atherton may leave because this week Washington suffered a grievous loss in the death of Mrs. Elizabeth Rowe, Libby Rowe, and her funeral is this morning and Mr. Atherton has to leave to go there.

Mr. Chairman, as you know, I'm here for the Fine Arts Commission, but I have sordid past on this subject. I worked for the Design Arts Program of the National Endowment for the Arts; as you know I worked for this committee under your auspices——

Senator MOYNIHAN. Indeed you did.

Mr. PECK. The subject of design excellence in public architecture is one that has concerned me for a long time; the Fine Arts Commission has a longer history than I do. The Fine Arts Commission has been at it for 80 years and has a considerable body of experience in this matter. I will submit for the record a very informative statement about some of the experiences the Commission has had through the years.

To summarize, I think it's awfully heartening to hear GSA say this morning that they are going to open up to design competitions because there is a concern that with Government design, everything can become quite insular. As you said when you wrote the Guiding Principles some 30 years ago, it's important that there not be an official style, that we make use of the best architectural talent that the country has.

Although you reemphasized that, that's nothing new, really. The earliest days of the Republic were ones in which design competitions were rampant. Jefferson and Washington believed that they were the way to design buildings. We're almost in an anomalous period today in not running very many design competitions.

If I can briefly mention some of the buildings the Federal Government has been involved with which have been the subjects of design competitions, it will make the point. Beginning with the White House and the Capitol, the Smithsonian Institution on the Mall, the Washington Monument, the Library of Congress building. We're about to celebrate the 100th anniversary of the Tarsney Act which Congress passed with the backing of the American Institute of Architects to require competitions on Federal building projects. As a result of that act, the immigration station at Ellis Island was the result of a competition. The Custom House in New York City by Cass Gilbert: Gilbert won a competition to design it. In this century also, the Lincoln Memorial.

Competitions, as you know, sometimes have a troubled history and I'll touch on that briefly. One of the more famous competitions which did not result in a building but might have changed the face of Washington was one held in 1939 for a Smithsonian Gallery of Art which was won by Eero Saarinen.

Senator MOYNIHAN. On Constitution Avenue?

Mr. PECK. On Independence.

Senator MOYNIHAN. Independence Avenue.

Mr. PECK. Yes, sir. We might have actually gotten some good modern architecture in Washington in the international style. As usual, Washington got it about 40 years late and we got the dregs I'm afraid.

When we redid the old Post Office building just 10 years ago now, and the Willard Hotel and office building, those were the results of competitions. The Judiciary building, of course, you've mentioned was the result of a competition, as is the ICTC building and the Vietnam Memorial. In any event, suffice it to say we have had a lot.

The competitions don't always help you get good design but they do do one thing. They make sure that when the decision is made on selecting an architect or an engineer, that good design is the major criterion on which the selection is made. Otherwise, one just doesn't know. It can be based on an old boy network, it can be based on past performance, sometimes long past performance, a reputation for being easy to get along with, all of those things which may be interesting to building administrators but don't guarantee good design.

Senator MOYNIHAN. I think that's very nice, past performance, sometimes long past.

Mr. PECK. Senators, as you've noted, design competitions open up the process to the public. One of the things that people who don't think much about architecture—a lot of people see architecture, not a lot of people think about it much—is that when you see a new building going up you begin to think that it's almost inevitable that that was the building that be built on the spot. Of course that's not the case.

Even if one architect is selected from the beginning, that architect went through many renditions of a design before he or she found one that they thought appropriate to a site. The competition process allows you to see some of that thinking and allows different voices at some point to have some say in which of the possible designs actually becomes reality.

It doesn't mean necessarily that the public has to vote, although it certainly means, as you've pointed out, that the public needs to see. It's almost enough that the design community and the press and public get to see what the designs may be.

Finally, let me say that one of the concerns you should hear about competitions because they are true and the Fine Arts Commission's experience indicates this, is that competitions can run you into a great deal of trouble. If the rules aren't laid out very well, if the juries aren't constituted carefully, if a sense of what's going to be done after the competition is over isn't stated at the beginning, you can have all kinds of problems.

Le Corbusier, you may know, submitted a design for the competition to build the headquarters of the League of Nations. His design was thrown out because the competition rules specified that they be done in ink and he did his drawings in pencil.

Senator MOYNIHAN. My God.

Mr. PECK. The point is that the rules should not be so detailed and so inflexible that the architects don't have a chance to engage in a dialogue with those who set the rules. On the other hand, competitions can be much too long and much too complex. Not every competition should end up with the teams preparing expensive models.

Competitions can be short. When I was at the Arts Endowment, we ran a competition which took 2 days and selected teams just to build small border stations. We got quite innovative designs, but we didn't ask for a complete design. We asked people to come in, think about the subject, go off in a room, and come back with some sketches. It kept down the costs and certainly kept down the time, and it actually meant that we selected an architect in much less time than the current system allows.

Juries, as I say, need to be selected carefully. In my opinion, and this is not the Commission's opinion necessarily, there should be a representative of the client and the using agency on the jury so that their input is considered. On the other hand, the majority of the jury, I believe, should be design professionals and in an effort to make sure that we don't just have one agency developing a style or a proclivity for one sort of design or another, the panel should be mostly selected by outsiders. I think the Arts Endowment and Fine Arts Commission could help in selecting outside designers.

Finally, I think Mr. Gill may disagree with me on this but I will say it. There is a healthy debate about whether a design is to select a design or a designer. I come down on the side of selecting a designer because once one has selected the designer, building designs inevitably go through various reviews which are appropriate. Sometimes there is a design review of a local agency or the Fine Arts Commission; some designers are brought in from outside and have terrific ideas, but may not understand the context terribly well; there may be material problems or structural problems. Designs tend to get changed.

Sometimes people get stuck thinking that they've spent so much time and money coming up with the competition design that it ought to be built as is. If you step back and ask to find somebody who is creative about the building problem, you may find that you have a better process and you avoid an awful lot of problems that can come up later.

The Fine Arts Commission has recently been dealing with the design for the Korean War Memorial and nothing could better make the point. The competition design selected has been subjected to numerous reviews, probably too many reviews; but it had problems which needed to be resolved.

In attempting to resolve the problems, all kinds of egos got in the way. I think some very unfortunate decisions were made and we wound up with a terrible controversy. I think had the designers and the clients understood from the beginning that their design was going to have to be revised, we wouldn't have gotten into this controversy.

Certainly not every project should be the subject of a competition. There should be large projects, small projects, innovative ones, old ones, some renovation projects; all can be the subject of competitions.

Some projects, however, are not appropriate and for those projects, perhaps there ought to be some sort of design review, whether it's by a central body like the Fine Arts Commission or by a panel set up by GSA or the Arts Endowment, or local design review bodies. But that too exposes a design to public scrutiny before design is literally set in concrete.

The public can also have some say in that public architects, those who work for agencies, ought to have a chance to do some design because I believe in doing so they'll become better clients.

This leads me to note that 10 years ago, you with Senators Stafford, Chafee and others who were still on this committee introduced legislation to reform the GSA building program.

Senator MOYNIHAN. Right.

Mr. PECK. We are 100 years since the Tarsney Act which had a tremendous impact on the quality of Federal buildings. Perhaps it's time, 10 years after your legislation, to resurrect some parts of it. Although Mr. Austin is all for competitions now, as you noted GSA Administrators have a half life of approximately 22 months I think it is and these policies come and go. Perhaps there is some legislation which ought to be done on the subject.

Senator MOYNIHAN. Good, and that's exactly what we have in mind and what we're going to expect of you and you and you and you.

Senator MOYNIHAN. Now, Ms. Berryman.

STATEMENT OF MINA BERRYMAN, ACTING DIRECTOR, DESIGN ARTS PROGRAM OF THE NATIONAL ENDOWMENT FOR THE ARTS

Ms. BERRYMAN. Thank you.

I also have a checkered history having been the Director of the Office of Historic Preservation at the Executive Office Building.

Senator MOYNIHAN. And you've done a wonderful job, I must say.

Ms. BERRYMAN. But I am now at the Endowment as the Acting Director of the Design Arts Program of the NEA which encourages excellence in all of the design disciplines through a combination of grants and leadership initiatives.

The fundamental mission of the program is to create a clear understanding and recognition of good design. We believe the public needs to know that design is a matter of choice, not fate, and that it can and should participate in the process.

Each year, approximately one-third of the Design Arts Program budget is allocated for leadership initiatives which are organized now into four major areas of concentration: the public realm, the corporate realm, professional development and finally, the Federal realm which is the category that concerns itself with the improvement of Federal design, including architecture.

As the Government's only full-time advocate of design quality, the program has a distinguished history as a catalytic force in the improvement of Federal design that continues today.

After a flurry of interest in design excellence that resulted from the guiding principles for Federal architecture which Bob made reference to in 1962, the notion of design quality in the Federal Government languished once again. Ten years later, the Endowment initiated the Federal Design Improvement Program following a proclamation to department and agency heads issued by President Nixon.

Activities undertaken as part of the program since then have included the Federal Graphics Improvement Program, Federal design assemblies and "Design Matters," a newsletter for Federal designers, a personnel initiative called "Excellence Attracts Excellence" and perhaps most importantly the Federal Architecture Project, which resulted in the publication of *The Federal Presence* in 1978 and was instrumental in the formulation of the Public Buildings Cooperative Use Act of 1976.

Despite the successes of the Federal Design Improvement Program in the 1970's, its activities once again subsided until 1984 when the Presidential Design Awards were initiated. Since then, we've conducted two rounds of awards recognizing excellence that have been conducted by the Endowment with the full endorsement of the White House.

The excitement generated by these recognition programs has spawned similar efforts by other agencies, all of which have been tremendously successful, not only in recognizing designers and Federal administrators, but also in promoting the role of the Government as an informed client.

If anything, the Presidential Design Awards illustrated the need for a rejuvenated design improvement program to clarify the issues of design philosophy, policy and process raised in the course of deliberations for the presidential awards. The Endowment undertook extensive research in 1988 and 1989 to determine the state of Federal design in all of the disciplines.

The study of architecture produced 16 recommendations which are attached in my formal statement as Appendix A. Most important from the study was a consensus that emerged that the state of Federal architecture is not so much poor as it is "extremely uneven." I think that's fair to say.

Opinions as to why this is the case differ widely.

Senator MOYNIHAN. How would you describe American sculpture?

Ms. BERRYMAN. I think similarly uneven.

Opinions as to why this is the case differ widely but the Design Arts Program would like to take this occasion to offer a few very general points that we would urge underscore any policy that may engender improved design quality for the Federal Government.

First and foremost, I think the obvious thing is we need to concentrate on the message to the public and to other administrators and legislators in the Government that design is important. Education about design and the process that creates it results in a pride of ownership and increased participation by the public.

Our public spaces have historically been viewed as expressions of our culture and our intentions. When they're ugly, confusing and inefficient, they send a very powerful message about the Government to the public. And it is not at all positive.

Secondly, educating Federal managers and administrators about the design process is essential. This is where the Design Arts Program can really play an important role. Last summer we assisted GSA in conducting a charette that produced design guidelines for development of the Southeast Federal Center.

Senator **Moynihan**. Send that up to this committee. We'd like to see it.

Ms. **Berryman**. The results of the charette?

Senator **Moynihan**. Yes, because we're going to have to decide on that for Southeast.

Ms. **Berryman**. We'd be happy to. The drawings are done and the accompanying narrative is about to be finished.

Senator **Moynihan**. We'll give it back to you.

Ms. **Berryman**. We'll send you a copy you can keep, or two.

It was an instructive experience for GSA but we learned too of our unique qualifications to assist other agencies in this preliminary but very important stage in the design process.

In 2 weeks, we'll do another charette with the Bureau of Printing and Engraving which will result in guidelines to assist the Bureau staff in selecting a design team by a enumerating the preservation, urban design and landscape issues that should be addressed by the design program in addition to the qualifications that the design team should have and the services they should provide.

We're using the charette processes as well in cooperation with the American Indian Council of Architects and Engineers. We'll be conducting seven charettes for them on different reservations around the country developing guidelines that will be distributed by HUD through their Office of Indian Housing to tribal housing authorities.

In short, we advocate the charette as an educational process for administrators as well as project managers and staff architects because we believe it results in the agency's better understanding of the project and ultimately in better design. We can conduct them at a fraction of the cost of any building project and we endorse it enthusiastically as the first step for any client undertaking a design project.

Third, the process for selection of designers needs to be changed. If we accept that the Guiding Principles of Architecture are as valid today as they were 30 years ago, we need to develop policies that express and enforce them, particularly in the procurement of design services.

I'm not going to talk about competitions because I think that Bob pretty much covered the important issues. We, as a program, and I, personally, agree with the views of the Commission and Bob's one personal view which he offered.

There are many ways to go about selecting a design team. In general, we advocate policies that would allow firms to compete for jobs much in the same manner that they do in the private sector. Systems in current practice often restrict designers' abilities by limiting their presentations to the bare minimum of relevant information about their firms.

One way of selecting a team is through the design competition, and like the Commission, we do not advocate it as a one-size-fits-all solution. However, we would point out that it can provide a way to select design professionals on the basis of their specific response to a specific program.

We also attach to our formal statement major points to address when considering a design competition as a means for selection of a design team. Like the Commission, we also would fall on the side of advocating using the competition to select a designer but not necessarily a design.

Fourth, because design is collaborative and involving, Federal managers of design should have some design experience and they must be flexible, open to dialogue and knowledgeable about the process that they are managing. Designers must participate in every stage of development and be managed by Federal administrators who understand the process from a design perspective.

Collaboration among Federal agencies and design managers is also important to improving design quality and collaboration between designers and visual artists should be encouraged through initiatives like GSA's Art and Architecture Program.

Finally, we believe that the Government's role in the design community should be one of leadership and we think that the Endowment can and should play an important part in making that happen. We support your efforts to improve Federal design and we stand by waiting to assist you in accomplishing your goals.

Thank you.

Senator MOYNIHAN. Thank you, Ms. Berryman.

I've looked at your appendix on the report of the National Endowment for the Arts called "The State of Federal Architecture," and number one, it says "Define design quality." Now, just knock that off. It's none of your business to define and nobody knows how.

Ms. BERRYMAN. We have not pursued that recommendation.

Senator MOYNIHAN. Well, the fact you put it there, your Government's going to tell you what to do. I wrote those guiding principles 30 years ago, published 29 years ago, and said avoid an official style. What you've just called for is an official style. You may not know that, but let me tell you I know that.

Then in five here, it says, "Help agencies develop their own guiding principles." No, no, the President's guiding principles, OK, but in particular, watch that define design.

Ms. BERRYMAN. I agree.

Senator MOYNIHAN. If you agree, why is it there?

Ms. BERRYMAN. Well, this has been an independent research report.

Senator MOYNIHAN. Go back and tell them to knock it off. Why has anybody got to pay Federal money to say that, don't ever let Senator Metzenbaum find out.

Ms. BERRYMAN. What we did is we did not pursue that recommendation. There are several that——

Senator MOYNIHAN. You should never have made it. Leave it alone.

Ms. **Berryman**. OK.

Senator **Moynihan**. Senator Metzenbaum.

Senator **Metzenbaum**. I'd like to ask a question of the first witness and that is, on the design competition, which I generally would support that concept, do you ever find that some of the most renown architects refusing to participate?

Mr. **Peck**. Yes and no. Some of the larger firms in some competitions will refuse to participate in part because they take a look at the way they are structured, they look at the rules and they refuse. We have a good example. The ICTC building, the I.M. Pei firm clearly participated; Kohn Pedersen Fox, these are two of the best and larger firms in the country did agree to participate. It depends in part on the project and the program.

In general, Senator, you do find one of the things that people often advocate in competitions is that smaller lesser known firms have an equal chance with the larger firms because the design submissions are made anonymously, but you've probably heard that there are cases in which firms won't compete.

Let me just say that the more difficult problem we have at the moment is that some of our most prominent firms don't like to deal with the Government at all because they find the process of selection so byzantine and so unknowable that some of the larger firms in the country, if they try to submit the brochures which they all spend lots of money printing on glossy paper to the Government to prove their qualifications, they're told they have to go back and put it on the proper Government form at which a lot of them throw their hands up and say, forget it. So I think competitions are a way in for those firms.

Senator **Metzenbaum**. If I might ask Ms. Berryman, when Jay Solomon was the Director of the GSA, I think he established a requirement that 1/2 of 1 percent of the contract price had to go into art for the building. Is that still operable?

Ms. **Berryman**. Yes, it is. The Art and Architecture Program at GSA still exists.

Senator **Moynihan**. That's part of the guiding principles.

Senator **Metzenbaum**. Pardon?

Senator **Moynihan**. That was part of the guiding principles 30 years ago.

Senator **Metzenbaum**. Thank you very much.

Senator **Moynihan**. Next we have Mr. Ball on behalf of the profession.

STATEMENT OF REX M. BALL, CHAIRMAN OF THE BOARD, HTB, INC. REPRESENTING THE AMERICAN INSTITUTE OF ARCHITECTS

Mr. **Ball**. Thank you, Mr. Chairman, Senator Metzenbaum.

I am submitting my formal statement as did the other panelists, but I am also transmitting for the record the Handbook of Architectural Design Competitions prepared by the AIA in light of all the discussion on competitions.

Senator **Moynihan**. Please.

Mr. **Ball**. As the Senator will recall the AIA was here just several weeks ago testifying on the livable communities legislation as a part of the Surface Transportation Act. We certainly thank you for allowing us to do that and we look forward to your introduction of the bill. The profession is very appreciative.

Since the hearings were held on the subject before us today, a number of admirable and distinctive Federal buildings have been designed and constructed, but unfortunately, I think a generalization, as the other panelists said, cannot be made of all Federal construction since these hearings.

The AIA does believe that the Federal Government has the responsibility to be concerned with the image, the functional effectiveness, the lasting architectural values of the building it constructs and as Senator Reid said, for *The Guiding Principles for Federal Architecture* that you put forward 30 years ago, we heartily endorse today. You were right then and you're right today, and have our support in that completely.

Senator MOYNIHAN. But if I could say, the grounds for the validity of those principles, it didn't say build somehow "baubesque" buildings, find something no one has ever found. It said do what the profession at any given moment judges to be the best it has around. My particular rule of thumb was build whatever the whiskey trust is building and over the centuries you'll get the good with the bad and you won't miss the Saarinens and you won't miss some of the other stuff either, but we expect to be around here for a long time and we do not know, this Government doesn't know what quality is but we will in what comes up from competition.

Mr. BALL. Well, in a very elementary way, Senator, any packet that's put out for architects to compete on in Federal buildings, whether it be a formal competition or whether it be based on qualifications, ought to at least have *The Principles* in it and the architect ought to be schooled in it so that he knows what those principles are because what's in your head and in your heart is really what's produced in the final building.

Anything that can promote that kind of heritage in our buildings is of utmost importance because it influences not only what our local and regional communities look like, but most of these Federal buildings whether they're in the suburbs or whether they're in the center part of the city, or whether they're in a big city like Washington, D.C., or whether they're in a little New England community, are really the heart of that community and they demonstrate the continuity and strength of the U.S. Government.

Senator MOYNIHAN. Yes, sure.

Mr. BALL. We continue to endorse qualification-based selection as under Public Law 92-582. This process is fair, it is well understood by the design community and the AIA sees no reason for changing it.

As to competitions, we have found that they do have additional cost in running them and that the approach does take more time. This is the reason for the "AIA Handbook of Architectural Design Competitions."

I personally am not familiar with what the AIA's policy is on charettes as was suggested by my two colleagues, but I'll certainly take it back to The Octagon and ask for some thinking to be done on this matter and then resubmit our thoughts to the committee.

We do heartily endorse a process in producing public buildings, whether it be a competition or whether it be selection of an architect directly through qualifications- based selection, where more public access is given to that design. I think your statement about how difficult it is to find a model or find the delineations is absolutely true.

I've had my own projects where I've wondered what in the world happened to all that material. There ought to be built into the cycle some way for displaying and presenting this material.

Senator **Moynihan**. Into the site. Mr. Austin gave us something this morning, didn't he? We never heard that from the GSA before.

Mr. **Ball**. We have no particular problem as a practicing architect, that is, my firm and I, in displaying our work as we develop the stages of the design, thus making that work more visible. You know, a design does go through several different stages, even when it's in a competition, so public access is something that we can support; but we do support some device for involving fellow professionals and we're willing to explore with the GSA, and I'd say with my two colleagues here, various arrangements which might work professionals into the overview of design competitions when they are of national and local significance.

Creating another level of review, however, is another concern because of its slowing down the process and not necessarily contributing to it; so the professional qualifications of the group that's involved is very key. There have been some runs at this in the past by GSA and they did not work out well. So the way it's constituted, and if it's held at a professional level, probably concentrated in Washington with existing or expanded groups, it would have some merit.

Architectural fees continue to be a problem. We're very sensitive to costs of buildings as to the fees that are charged as Senator Metzenbaum had mentioned, but at the same time some projects are extremely complicated and require a higher fee. With the 6 percent cap, it limits that particular project to what can be done, and in many cases, some of the more innovative designers, it limits what time they can spend on the project to evolve the design because in the end, and architect's office is a private enterprise program and time allotted relates to how much money he has been paid.

On the Supervisory Architect question which has been discussed, it's covered in more detail in our formal statement but if the GSA wishes to reenact that, our suggestion would be that a licensed architect with related credentials be put into the position.

So I'd say in conclusion, the most important values of our nation are really embedded into our buildings and they truly reflect the times in which they are in and the process that is evolved; you do have the AIA's support in making changes and supporting legislation which would continue the process of putting the commitments 30 years ago into practice.

Senator **Moynihan**. Thank you very much, sir. I heard your point about delay.

It fell to me last evening to introduce David Rockefeller who was receiving on behalf of the Rockefeller family the National Building Award at the Pension Building—such a glorious space—and I mentioned something which is sort of on my mind for some reason randomly as I age, this whole subject of entropy and social systems and that the great buildings got built very fast. The Parthenon which was just chiseled, not steel, iron, chisels, was built in 14 years. Haj Sophia was built in 5 years, Rockefeller Center in 8 years. You couldn't get an environmental impact statement through in 8 years.

Senator MOYNIHAN. Now, the piece de resistance, our most distinguished architectural critic, most imminent New Yorker from the——

Senator METZENBAUM. Mr. Chairman, may I inquire for a moment?

Senator MOYNIHAN. Of course.

Senator METZENBAUM. Mr. Ball, you mentioned a 6 percent fee, et cetera. My question to you is that I really never did quite understand how architectural architects are chosen for Federal buildings but I just have to assume that there is some political involvement and I respect that.

My question to you is, as representing the AIA, if there a procedure established that the political were totally removed in the choice of architects, would we possibly be seeing a better kind of architectural design in Federal buildings than we do at the present time?

Mr. BALL. On the basis of the Federal law that is in place now, Senator, the involvement of political influence is extremely minimal.

Senator METZENBAUM. How are architects chosen? I don't know.

Mr. BALL. It is in my detailed statement, you may want to look it over and you may wish for us to supply additional information but the Federal law directs the agency head to advertise publicly for a given period of time that he has a program and what it would be—he or she has a program, describe what it would be and give a reasonable amount of time for people, usually 30 days, to respond and express interest in that program.

Then from that submittal, based upon the quality, his staff, the Director and his staff, bring the list down of people to be considered to five or in some cases it's more or less but generally it's five to be considered. These people submit additional information and are basically interviewed over a process depending on the project and it's complication. They appear and present their qualifications for this project; in some cases, several of the ones that I have competed on, they actually go see the buildings that you've done that might be applicable.

Then that list is pared down to where the committee will select one; they'll rank the group that was interviewed—one, two, three, four in order—and then the first one, they will negotiate a fee based upon the requirements of that particular project. If they fail to reach a negotiated fee with that first selected firm, then they'll move to the second and there on.

The political process was different when I was a kid. That was a prior to the bill; I'm old enough to remember that there would be more political interference locally into the process, but I can speak for myself, rather than for the AIA, whenever a political contact is made to an agency, it is written down and it goes into the file, so it is reflected in the file that there has been some contact.

For most of the procurement officials that I have worked with, they are very much independent and they take exception if someone has tried to pressure them. It would be a disadvantage even to the best firm to find themselves in that position.

Senator **Metzenbaum**. Thank you very much.

Senator **Moynihan**. Could I say to my friend and colleague that if I have any hopes for this process it would be to increase the political involvement in the large and excellent sense of public involvement. The present procedure is governed by the Brooks Act, I have a copy here, but take our Judiciary Building, the second building we've ever built for the court, the finest firms in America bid. The models were over in the architect's office and it would have been a severe violation of the rules to know whose model was which. Word kind of got around that I.M. Pei's firm had submitted, Kohn Pedersen Fox had submitted and Ball had submitted, but which one.

I said before you came in that basically we procure buildings under the same rulings that we procure any other item of purchase by the Federal Government, with immense secrecy, compartmentalization. I have seen Federal judges sign statements that they would not reveal the fact that they'd even seen a model, much less be told whose identity.

Senator **Metzenbaum**. I would agree with my colleague perhaps with respect to that particular building, but my past experience and gray hairs have always understood——

Senator **Moynihan**. Well, you may precede the Brooks Act of 1972. Well, we both have gray hairs. Right now, our problem may be it may be too closed.

Senator **Moynihan**. Let's go and hear what Brendan Gill thinks and then we'll know.

STATEMENT OF BRENDAN GILL, ARCHITECTURE CRITIC, THE NEW YORKER

Mr. **Gill**. Thank you.

Let me begin with a true story to my mind that effectively sums up the two traditionally opposed views of the usefulness of competitions as a means of achieving excellence in public architecture.

At a party in New York the other evening, I happened to encounter that superbly crotchety character, Philip Johnson, who in his middle 80's, remains the Peck's Bad Boy of American architecture. I mentioned to him that I would be giving testimony here today and would be grateful for his opinion on competitions. I noted that since the better the jury in a competition, the more likely it is that the jurors will have dissenting views of the project submitted and will end by awarding victory to a comprised candidate, one who in most cases has submitted the least offensive and therefore, the least innovative design.

How did Philip feel about the principle of holding competitions? He replied at once, "I am wholeheartedly opposed to them." I pointed out then that the alternative was the likely bestowal of a design commission by some untouted bureaucratic fearful of taking chances and therefore content with a conventionally mediocre design. "Your absolutely right," Philip said just as rapidly and as self-confidently as before, "I am wholeheartedly in favor of competitions." So there you are, strong feelings can be entertained on both sides of the question and sometimes almost simultaneously by the very same individual.

The principle of competition in the arts is an ancient one, as ancient as indeed those two unacknowledged competitions we call war and business. The ancient Greeks held competitions in their games, music and drama. During the so-called Italian Renaissance, a competition was held in Florence to see who should have the honor of designing a catafalque for the display of Michelangelo's body at his funeral in the Duomo. Benvenuto Cellini was among the competitors and when the jury failed to award him the commission, he gave proof that artists then, as now, are a thin-skinned lot of sore losers, just like all the rest of us. He refused to attend Michelangelo's funeral, complaining that he had just come down with a bad cold as perhaps he indeed had.

Our founding fathers, as Bob has mentioned, were champions of architectural competitions and I am relieved to say that Jefferson behaved far better than Cellini did when his design for a President's house—what we now call the White House—submitted under the pseudonym of Alexander Faw, was rejected.

Many New Yorkers believe that our ravishing little City Hall is the most beautiful building that we possess; it as the winning design in a competition sponsored by the city and it was won by a Scotch-Irishman and a Frenchman—two minorities that have vanished from our city without a trace.

The design of the United States Custom House in New York City, which Senator Moynihan was so instrumental in preserving as an architectural and historic landmark, was won in a competition by a young sprout named Cass Gilbert. Many of our State capitols—Minnesota's, again by Cass Gilbert; Rhode Island's by McKim, Mead & White; Nebraska's by Bertram Grosvenor Goodhue—came into existence as a result of competitions.

Looking beyond our shores, I may just mention two highly successful competitions of an earlier time—the design for a newly expanded city of Edinburgh, held in the late eighteenth century, and a competition for Canberra, the new capital city of Australia, won in the early years of the twentieth century by the American architect Walter Burley Griffin.

One of the most vivid buildings ever to win a competition was the opera house in Sydney, Australia; it is also one of the most vivid financial catastrophes of all time.

Senator MOYNIHAN. Is that right?

Mr. GILL. Terrible. I omit as not germane to this inquiry the innumerable architectural competitions that have been held by private institutions and corporations, with the usual difficulties to be faced and with the usual mixed results.

The difficulties I speak of are both philosophical and pragmatic. To begin with, one man's notion of excellence in architecture may be another man's notion of trash. Thus, it happens that whereas men of reason may agree that a competition is the best means of achieving excellence in the design of a given building, the next step—that of selecting a jury that will select in turn the architect of the building—is where the fur begins to fly.

Some competitions have been abruptly called off on this account; others have been called off because the juries themselves were at each other's throats so long and so bloodthirstily that a winning candidate for the commission, to say nothing of an actual building, was unlikely to emerge within a foreseeable period of time. No matter. One dare not reject a principle good in itself on the grounds that evil may flow out of it. We must practice what we take to be prudence, if not wisdom, and hope for the best.

For the alternatives are assuredly worse: the easy way out nearly always leads down as well as out. Browning said long ago that a man's reach must exceed his grasp, else what's a heaven for? Skipping heaven for the time being, as not having been designed by the winner of a competition, let us adopt this saying as a definition of what competitions are intended to provide us with, right here and right now.

Senator MOYNIHAN. Mr. Gill, would you slow down a bit at this moment. We want to hear you very carefully.

Mr. GILL. I always speak too rapidly for fear that I won't reach that word "finally" which is the most beautiful word in the English language.

Let us adopt this saying as a definition of what competitions are intended to provide us with, right here and right now; to wit, a means of achieving a measure of aesthetic control over the usual well-meaning ingenuousness of Government administrators.

In a well-designed building, the architect's reach and grasp come as close as possible to coinciding; and in a well- run competition with a really well-thought-out program, a jury can determine in the course of looking over the proposals it receives the likelihood that a design will be able to fulfill the challenging list of requirements—artistic, financial and spatial—that have been set out. Which is to say that the jury of experts can perceive, often with regret, that a particularly attractive proposal is, in fact, alas, only a superlative pipedream. In the nature of things, architects who are pipedreamers are especially apt to enter competitions.

If, as I believe, architectural competitions are intrinsically of high value, I am obliged to add that in my experience the harm that may flow out of even a well-run competition lies in the sequence of events that follow it. One of the most ominous of these events is the tendency on everyone's part to being to tinker with the winning design. Sometimes the architect himself, sometimes member of the jury, sometimes politicians and reigning bureaucrats, and sometimes even perfect strangers who, so to speak, have wandered in out of the rain and find themselves with nothing better to do, begin to offer suggestions of a more or less inappropriate nature for the improvement of the design.

Little by little, the excellence of the design may be nibbled away as rats nibble away at a parchment, and the mediocrity that a jury took care to avoid in choosing an architect manifests itself in the course of preparing his design for execution.

The risks involved in holding an architectural competition are many, but they have the advantage of being known and of being avoidable. The risks involved in commissioning works of public architecture without a competition are also many, are also well-known, and have the disadvantage of not being avoidable, for the processes of Government are notorious for advancing foot by foot and year by year with the unwinsome irresistible force of a glacier making its way through a dark mountain gore.

The most usefully agitated of mortals cannot deflect the glacier from its path by so much as a hair's breadth. To make matters worse, it is a commonplace for grand follies to be committed by small, faceless men, who in most cases are acting in good faith and would be astonished to learn that what they have undertaken to do is just wrong instead of just right.

On that pontifically portentous note, I thank you for having heard me out.

Senator MOYNIHAN. Do we have a design competition for testimony?

[Laughter.]

Senator MOYNIHAN. That was brilliant as always and we're very grateful. Now, I can't quite avoid our question unless you think our movement towards legislation is one of those unstoppable glacial enterprises, we would like to get a bill through this Congress that would bring some public commentary into the sequence with some definition of time. Do you think that's a good idea?

Mr. GILL. Yes. All of the troubles that develop out of these things is that you want to do something affirmative which to your astonishment afterwards turns out to be negative, but I think it's much more sensible to attempt to introduce certain bounds of that kind into it. Then if it doesn't work, drop them.

Senator MOYNIHAN. Or if it doesn't work, it's not like everybody didn't have a say.

Mr. GILL. Yes.

Senator MOYNIHAN. I have a very specific example. I've been working for oh, a decade to build a new courthouse and a new office building in Foley Square and to get the Foley Square itself made a green space and a public/urban space as well. It couldn't be done and couldn't be done because all those improvements and no consultant fees being available from the Federal Government.

Finally, the city ran into a fiscal crisis, as you know, a few months ago and I was inspired enough that we were going to buy the land from the city for $109 million that the land was valued at but they were going to get it as a part of half of the new office building and that would be their return for giving up this land that they had no use for right now.

I called the Deputy Mayor and said, if you don't want that office space, maybe you don't want it, it's pretty high quality stuff, maybe you'd like the $106 million, done, deal was done within 72 hours and they sat around waiting because the Federal Financing Bank had to wire the money to the city but we're going to announce this next Friday a week.

We have really worked hard at the architecture and I've seen the models, the judges have seen the models secretly, with no knowledge of who the architects are and on Friday a week we will announce to a world which may or may not be awaiting our announcement, this is what Foley Square is going to look like the next century, and the winner of this is, and we'll look out and it says it's somebody. It might be Philip Johnson for all I know.

There's a little something arbitrary about that. You'd like to have a little more feeling of somebody had seen it before, so we're trying to write a bill, do you follow us? Bob, who's going to write the bill, who's going to draft the bill for us? You're going to. OK?

Mr. **Peck**. Yes, sir.

Senator **Moynihan**. And you're going to talk of course, to your colleagues and to the NEA, of course, and to Brendan Gill and all. It's a good time to do it.

I wanted to say, Ms. Berryman, you did not write those principles, but God save us from anybody who would say, the NEA people would say our first job is to define design quality. If you think you can do that, then you're not qualified.

Suppose we said, the Federal Government will purchase this year only the greatest painting produced last year? It's not that way, that's not the way it works. Government, which is a very heavy instrument, probably does best just to take the best taste of the time which will be good sometimes and bad sometimes and you'll get a Browning one year and 30 years later you don't have much to show in the way of poetry, then the next thing you know you look up and T.S. Elliot's in London or Ezra Pound is in London, and it comes and goes. You wouldn't know who was particularly good today but you know that Larkin died 5 years ago. The Lord dispenses those gifts in unexpected ways.

This is what we want to do. We want to do it this Congress and we've got a lot of things going around us that show that you can do it because this Edward Laribe Barnes building is going to be a dandy and the Freed's building at Federal Triangle, we've got something to show for this effort, so now is the time to try it.

You all will have Senators who might have questions and you will submit them to whoever you wish. With great gratitude, especially sir to you for coming down all the way from Courtright Center to be with us, with that, the hearing is closed.

[Whereupon, at 12:10 p.m., the subcommittee adjourned, to reconvene at the call of the Chair.]

[Statements and other material submitted for the record follow:]

STATEMENT BY RICHARD G. AUSTIN
ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION
BEFORE THE SUBCOMMITTEE ON WATER RESOURCES,
TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS, UNITED STATES SENATE
THURSDAY, MARCH 14, 1991

Mr. Chairman and Members of the Subcommittee, I am pleased to appear before you today to discuss the Public Buildings Service and its planning process, fiscal year 1992 budget request and proposals relating to the design competition process. I can assure you that the PBS is committed to carrying out its mission: to provide quality services required by our clients in a timely manner and ensure the best value to the Government and the public, thereby enhancing our clients' ability to accomplish their mission. PBS' budget request and its initiatives in the areas of planning and design competition will further the accomplishment of this important commitment to the Federal community.

With regard to long-term planning, the Public Buildings Service has developed a sound process which is integral to the performance of its responsibilities of building, operating and maintaining space to house Federal agencies. The procedures for developing and submitting prospectuses for each fiscal year are now well understood by our client agencies and will allow GSA to present a comprehensive plan to the Congress. PBS' Planning and Project Review Board has provided rigorous internal review of projects, ensuring that only the most necessary and economical projects are submitted for approval.

With the stability of the prospectus cycle now established, PBS is able to view the planning process in longer terms. This means that GSA can now think and plan strategically about issues such as the mix of owned and leased space in various geographic locations. In addition, the planning process includes a rank ordering for the timeframes in which projects should be undertaken. For instance, where ownership is known to be economically justified, construction will be planned. The repair projects that affect lifesafety will begin before less imperative ones.

The longer planning horizon provides GSA an opportunity to demonstrate that each fiscal year's Capital Improvement and Leasing Program is part of a longer term strategy, and it allows GSA to order and schedule projects to accomplish those objectives. However, longer term planning does not imply rigidity, but rather that GSA must look at its goals and remain flexible in the development of each year's program to accommodate changing demographics, needs and economic conditions.

To summarize the fiscal year 1992 budget request for the Public Buildings Service, we are asking for $4.2 billion in new obligational authority for the Federal Buildings Fund.

GSA's fiscal year 1991 approved budget included a one-time $1.6 billion direct appropriation to the Fund to construct a number of critically needed facilities. The fiscal year 1992 budget request includes a $47 million appropriation to the Fund to continue the funding for those projects. Additionally, the fiscal year 1991 approved budget included $212 million for the U.S./Mexico border station facilities program. This level of funding is sufficient for all border station projects in the foreseeable future.

The fiscal year 1992 program for the Construction and Acquisition of Facilities activity of $477 million emphasizes direct construction as a means of increasing Government-owned space and reducing the growth of the leased inventory. The program includes a new headquarters building for the Department of Transportation in Washington, DC, site and construction funds for one U.S. courthouse, site and design funding for three new court facilities, and additional funding for one previously approved laboratory project in Menlo Park, CA. The Environmental Protection Agency will be housed in the Federal Triangle project on Pennsylvania Avenue along with the International Cultural and Trade Center.

Additionally, we are requesting funds in the Design and Construction Services activity for the design of two additional court facilities that will be constructed in future years.

The fiscal year 1992 program for the Repairs and Alterations activity of $569 million emphasizes modernization and basic repairs to protect the Government's real property investment, improvements of health and safety features, vacant space alterations to improve the utilization of Government-owned facilities, and construction of new courtrooms and ancillary facilities. The amount will allow us to proceed with the non-prospectus level work necessary for basic repairs to our buildings, energy conservation improvements, and preparation of space for new tenants; and will also fund 33 prospectus level projects.

We are also requesting funds in the Design and Construction Services activity for the design of 14 prospectus level Repair and Alteration projects that will be constructed in future years.

The fiscal year 1992 line item program reflects a prospectus threshold of $1,525,000.

The Installment Acquisition Payments activity retitled from Purchase Contract Payments provides for the payment of principal, interest, and taxes on 68 projects authorized in 1972, and commencing in fiscal year 1991, this activity includes payments for principal and interest for lease purchase projects which have been individually authorized by Congress. The fiscal year 1992 request for $145 million represents an increase of $8 million for increased principal, interest, and taxes.

The fiscal year 1992 request for the Rental of Space activity of $1.7 billion will fund the annual payments on 107 million square feet of leased space, including 1 million square feet of new expansion space in fiscal year 1992. The recent trend for expansion space has been considerably higher than 1 million square feet per year. In fiscal years 1988, 1989, and 1990, GSA delivered close to 8 million square feet of expansion space. Our plan for fiscal year 1991 calls for the delivery of over 9 million square feet of expansion space. If this trend continues in fiscal year 1992, it is Administration policy that GSA utilize the permanent indefinite authority for expansion space contained in the fiscal year 1991 Appropriations Act to ensure the timely delivery of space in support of our client agencies' missions.

The fiscal year 1992 Real Property Operations activity request of $1.1 billion is an increase of $70 million or 6.8 percent over fiscal year 1991. Services included in building operations are cleaning, protection, maintenance, payments for utilities and fuels, grounds maintenance, elevator operations, lease administration, moving including telecommunications relocation costs incident to those moves and day-to-day servicing of tenants' needs. This increase is required to fund inflationary increases for services in existing space under GSA's control, and to provide services in an additional 6.2 million square feet of space that will be entering the GSA-operated industry.

The fiscal year 1992 request for the Program Direction activity, $140 million, is an increase of $17 million from fiscal year 1991. This increase will fund inflationary increases and an increase in the payment to the General Management and Administration account for centralized support services.

The fiscal year 1992 budget is based on projected Rent revenues of almost $4 billion. The increase in revenue is based upon professional real estate appraisals that were performed in 1990. The subsequent realignment of Rent rates, the first in 5 years, will bring GSA's rates into conformity with current commercial rates. During the 5 years since the last appraisals, GSA's Rent rates have been adjusted only for standard inflationary increases. The ~~new~~ rates were transmitted to our client agencies so that their fiscal year 1992 budget requests include the necessary funds for ~~the~~ increased Rent payments. Any restrictions on agency Rent payments would adversely affect our ability to acquire new space and to provide commercial equivalent services. It is our belief that the rates that we charge for the space and services provided to our clients are fair and reasonable, and we trust that any "Rent Caps" or other restrictions on rental payments can be avoided.

I feel that this is a sound budget that effectively uses the resources available to the Public Buildings Service to continue progress on our major initiatives.

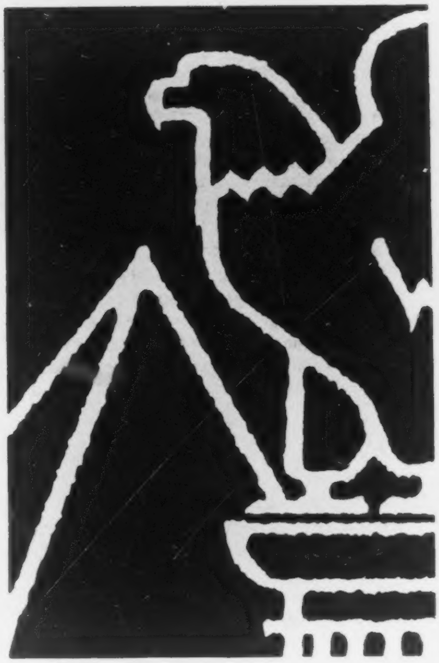
PBS is committed to delivering high quality facilities and services to our clients. The use of design competitions and increased public access to design proposals are important tools for ensuring the best public architecture. GSA strongly supports the use of design competitions as a means of challenging the architectural profession to produce excellence. Competitions will allow new and young architectural firms to compete directly with more established firms, thus broadening professional interest in GSA projects. This can only lead to the development of more creative and imaginative designs. Finally, design competitions will focus national attention on quality public architecture and increase the public's awareness and demand for the highest quality designs within their communities.

GSA's design/build procurements already include design competitions as a major factor in the selection process. GSA also plans to increase the use of design competitions for traditional Architect/Engineer procurements. Such competitions will focus on projects of national or local significance where the Federal Government has the greatest opportunity to enhance the local environment, manifest the presence of the Federal establishment in the community, and strengthen the public's positive identification with their Government. Such projects would range from new Federal agency headquarters here in Washington, DC, to new U.S. courthouses throughout the nation. Next year, GSA will submit a list of planned design competition projects as part of the fiscal year 1993 budget request.

With regard to public access in design proposals during the competition process, in the past, GSA has made competing design proposals available for public viewing in some of our most successful projects, including the renovations to Washington, DC's Old Post Office and the Alexander Hamilton U.S. Custom House, One Bowling Green in New York City. As with design competitions, public access to design proposals strengthens the local community's identification with the Federal Government. Additionally, open channels of communication can improve design quality and increase the designer's sensitivity to the local community's needs and wishes. GSA plans to incorporate public presentations in our reinvigorated design competition program thus focusing attention on quality public architecture.

The General Services Administration has made great progress in defining its strategic objectives and mapping a strategy to achieve them. GSA appreciates the Subcommittee's interest in PBS' program, and we look forward to working with you as we continue carrying out our strategic objectives.

Again, Mr. Chairman, I appreciate having the opportunity to appear before you today, and I would be pleased to answer any questions the Subcommittee may have.



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Strategic PLAN
of the

PUBLIC BUILDINGS SERVICE

U.S. GENERAL SERVICES ADMINISTRATION

Introduction

As the Public Buildings Service (PBS) looks forward, our current mission and business will remain intact as they are essential to the effective management of the Federal government. However, the manner in which we conduct our basic responsibilities will be examined and continually improved. Some improvements have already begun, producing results that we can point to with considerable pride. Other improvements will occur over the next several years.

Therefore, we must look beyond the immediate management challenges of operating an organization as large and complex as PBS toward the establishment of an organization that will be well-equipped to move into the 21st century. To this end, we have instituted a strategic planning process for PBS.

Mission

Our mission is straightforward:

To provide quality services required by our clients in a timely manner and

Ensure the best value to the government and the public, thereby

Enhancing our clients' ability to accomplish their mission.

Our mission incorporates both regulatory and operational roles, but these dual roles should be viewed as mutually supportive, not mutually exclusive, and they both require a strong client focus.

Vision

To establish GSA as the leader in facility acquisition and management by providing quality work environments and responsive services to our clients within the highest standards of professional excellence.

We seek "to establish GSA as the leader" in our field. For any organization, a quality reputation helps it recruit, retain, and inspire good people. It is not merely enough that we be good; we must look good.

We must strive to be the "leader" in our field in the Federal community. It is by being a leader that we earn the recognition we seek.

"Facility acquisition and management" duplicates the universal terminology of the facilities management industry.

"Providing" implies an activist role in the Federal facility process.

"Quality work environments" pertains to all aspects of design, construction, and acquisition which can yield high value space in which our clients work.

"Responsive service" refers to both the quality of our building operations, maintenance, safety, and protection as well as to the timeliness, predictability, and courtesy with which we provide any and all of our services, including alterations and leasing.

"Clients" explicitly recognizes that we should have a professional relationship with our clients, and speaks to the unified interests we all share in achieving the overall interests of the Government and the public.

"Professional excellence" is a broad term that speaks to a standard of competence and conduct. It implies courtesy, integrity, and legality.

Strategic Statements

To attain the PBS vision, we must be prepared to respond to changing needs and environments. To become and remain a leader in facility acquisition and management, we must work hard to improve ourselves, both individually and as a team. . .a team with shared values and loyalties, a team dedicated to common goals and priorities.

In order to guide both our present and future actions and set forth our common goals and priorities, ten strategic statements have been developed.

The statements were derived from a larger gr[illegible] of key issues confronting PBS. They were developed at the working level and were subject to extensive discussion. The final issues were reviewed and approved by the top management of PBS in the Regions and at the Central Office.

The strategic statements provide clear direction, a framework for action, and a guideline for operations.

PBS will emphasize conservation of the environment and ensure the provision of safe and healthful workspace. PBS will:

- ensure that safe and healthful workspace is provided through the development of proactive safety and health programs,
- advance new techniques for managing such environmental factors as indoor air quality and drinking water, and
- incorporate needed risk reduction in GSA's culture and management systems.

PBS will ensure that services are provided in the most efficient and effective manner through a variety of methods within the framework of our responsibilities. PBS will:

- establish criteria for choosing the best service delivery method;
- utilize an array of service delivery methods (in-house, contract) that allows flexibility in successfully satisfying agency requirements;
- assess existing delivery methods to ensure efficient and effective service provision;
- continue a periodic assessment schedule;
- ensure that PBS performs an active oversight role regardless of delivery method;
- discourage wholesale shifts in service delivery methods until assessment results are obtained;
- increase use of prototypes to encourage the development of delivery innovations; and
- enhance achievement of socioeconomic goals in the procurement process.

PBS will continue to improve client/partner relations at all organizational levels. PBS will:

- provide agencies with a clear understanding of the range of services provided by PBS and a working knowledge of service delivery processes,
- emphasize the responsibility shared by PBS and client agencies for efficient service delivery,
- improve credibility by providing realistic expectations and consistent timeframes for service delivery,
- communicate with client agencies throughout the project life cycle,
- obtain and evaluate agency feedback on PBS performance,
- anticipate client agency needs, and
- institutionalize a Quality Management (QM) philosophy throughout PBS.

PBS will develop alternative approaches to acquiring real property by exploring new development and financing methods and seeking authorization where required. PBS will:

- explore, evaluate, and propose alternative methods for increasing ownership of PBS-controlled space;
- encourage joint development solutions with other government and non-government entities;
- encourage flexibility by avoiding piecemeal development of large sites;
- manage government-owned properties as assets; and
- expand investment analysis to include recognition of potential public benefits such as local business impacts and local development objectives.

PBS will ensure an adequate revenue base in the Federal Buildings Fund to meet customer needs. PBS will:

- improve utilization of assets, including recovery of disposal and outleasing proceeds;
- oppose Rent rollbacks, freezes and caps;
- continually focus the appraisal process to reflect true commercial equivalency; and
- improve internal processes related to the Rent billing system.

PBS will take a more active role in adapting new, proven technologies and supporting innovation and research to incorporate changing technological developments in the provision of services to our clients. PBS will:

- develop a formal system for translating established research and lessons learned into standards and criteria for direct use by PBS,
- work with industry experts to participate in research programs related to PBS roles and responsibilities,
- institutionalize a receptive view of new technological applications,
- enhance building occupant productivity by achieving higher levels of building operating performance,
- encourage employees to take an active role in professional and technical organizations, and
- move PBS to a modern data processing environment and take advantage of commercial technology available in the mainstream of the business community.

PBS will develop internal and external constituencies. PBS will:

- seize opportinities that would promote and foster a reputation as a leader in the real estate field;
- develop cooperative partnerships with our clients that would help promote mutual goals and provide needed support in effecting programmatic and legislative changes;
- foster governmentwide trust and respect through open communication and involvement in the development of policies affecting the Federal community;
- expand efforts to work collaboratively with potential constituents such as professional and trade organizations, client agencies, Congress, local communities, and business organizations; and
- develop appropriate marketing strategies for new initiatives and the communication of program or policy changes to our clients.

PBS will institute a comprehensive recruitment, development and retention program to ensure the maintenance of a professionally trained workforce. PBS will:

- initiate a comprehensive nationwide PBS personnel assessment to identify current strengths and vulnerabilities in the workforce;
- develop a recruitment strategy for all levels, coupled with a systematic development program emphasizing technical training, management development, and interchange assignments, that utilizes both standard training options offered by the Office of Personnel Management and GSA or non-standard options such as co-op programs and the Presidential Management Intern Program;
- develop succession plans for PBS management positions;
- recognize the priority of training requirements in terms of funding and personnel;
- identify core in-house staff needs that should not be contracted out in order to maintain in-house expertise for training, career development, oversight of internal and delegated operations, and contract administration; and
- improve competitiveness of salary structure by seeking special pay rates and reclassification for key PBS jobs.

PBS will ensure that its internal organization fosters clear lines of authority, responsibility, and accountability to support the agency's Mission and Vision. PBS will:

- increase internal awareness of the impacts of organizational changes on the delivery of services;
- strive for consistency and uniformity among regional offices in service delivery;
- ensure that responsibility and accountability are clearly defined and assigned along with concomitant authority;
- ensure that all strategic issues, goals, and objectives are communicated clearly to all levels of PBS employees and constituents; and

- continually evaluate organizational effectiveness as part of the management review process and propose corrective action.

PBS will analyze emerging trends that affect PBS programs and incorporate relevant information into its everyday guidance. PBS will:

- increase contact with client agencies to highlight impacts of programmatic changes;
- encourage agencies to provide information relating to growth patterns or anticipated agency demand shifts;
- utilize and adapt existing information from readily available sources including trade, research, and governmental organizations; and
- manage PBS resources in light of projected shifts in demand for PBS services.

STATEMENT OF L. RALPH MECHAM
DIRECTOR, ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS
BEFORE THE SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION
AND INFRASTRUCTURE
OF THE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

ON

THE GENERAL SERVICES ADMINISTRATION'S
1992 CAPITAL IMPROVEMENT PROGRAM

MARCH 14, 1991

Mr. Chairman and Members of the Subcommittee:

My name is L. Ralph Mecham, Director of the Administrative Office of the United States Courts. On behalf of the Federal Judiciary, I would like to thank you for the opportunity to comment on the General Services Administration's Fiscal Year 1992 Capital Improvements Program and to present some major initiatives the Judiciary has undertaken in the space and facilities area. We want you to know how appreciative we are of the attention this Committee and the Executive Branch have paid to the space needs of the Judiciary in recent years. That attention is evidenced, I believe, by the number of projects authorized in recent years and by the number being proposed this year by the General Services Administration.

Overview of the Judiciary's Space and Facilities Program

Mr. Chairman, I would like to take a few moments to discuss the current status of the Judiciary's facilities program, as well as our plans for the future.

As you and the members of the Subcommittee may know, the Judiciary's workload has grown significantly over the past several years. The criminal workload has increased 60 percent between 1980 and 1990, from 29,387 to 47,176 filings. Drug filings increased 303 percent during the same period, from 3,172 to 12,592. The time required for the courts to handle a typical criminal case has risen from 3.7 months to complete a criminal case in 1985 to 5.3 months in 1990.

In the courts of appeals, filings over the past ten years have increased 76 percent, from 23,200 to 40,898. Criminal appeals rose 116 percent over the same period.

Our bankruptcy caseload has been increasing at a phenomenal rate for a number of years, and with the current economic downturn, the upward spiral of the work in our nation's bankruptcy courts will continue to climb. Between 1981 and 1990 the bankruptcy caseload increased by about 100 percent, from 360,000 to 725,000 filings.

Furthermore, as a result of various changes in statute governing probation and pretrial services, including an emphasis on drug and bank fraud cases, legislation which requires the application of sentencing guidelines and has placed greater emphasis on restitution, fine collection, drug testing and electronic monitoring, we have had significant growth in our probation staffs. From 1980 to 1990 the persons under supervision in the Probation System increased from about 39,000 to about 47,000, an increase of over 20 percent.

The Congress has recognized the impact of the increased case filings and workload by authorizing additional personnel for the courts. Between 1989 and 1991 the number of supporting court personnel has increased 20 percent, a total of 3,700 authorized positions.

Mr. Chairman, I appreciate the opportunity to provide you and the members of the Subcommittee with these statistics, since these dramatic increases in workload and staffing are the forces behind the need for new and expanded court facilities throughout the nation. Our projections of future space needs, if these current trends continue into the future, indicate that we will need an additional 2.4 million square feet of space in the next 5 years over our current inventory of 13 million; in 10 years, we will need an additional 6.5 million over the current inventory. Thanks in large part to the attention of this Committee and your sister committee in the House, we estimate that there is currently 1.8 million square feet of additional space in the pipeline. Of the 54 projects submitted in GSA's 1992 Capital Program, 15 of them involve the Federal Courts.

These projections of space needs seem overwhelming, I know--and I say again that they are based on the assumption that in the future the Judiciary will continue to grow as it has in the past, so they can be affected by many factors outside the control of the Judiciary. These needs, when added to the overall infrastructure problems of our nation with which this committee must struggle, offer a formidable challenge. At the same time, they offer a wonderful opportunity to construct the kinds of public buildings envisioned by President Kennedy--courthouses that "reflect the dignity, enterprise, vigor and stability of the American Government."

In terms of financial impact, the space and facilities expenses of the courts will amount to about $317 million in fiscal year 1991, about 20 percent of the operating expenses of the courts appeals, district courts, and bankruptcy courts. Of the total of $317 million, over a quarter of a billion dollars will be paid to the General Services Administration for rent on the 13 million square feet of space in over 650 locations currently occupied by the Judiciary nationwide. About $54 million will be paid to GSA for the reimbursable costs of judicial space construction and alteration.

Initiatives of the United States Judicial Conference

If I may Mr. Chairman, I would now like to advise you of some major initiatives undertaken by the Judiciary which we believe will improve our facilities program.

In September 1987, the Chief Justice, Chairman of the Judiciary's policy making body, the Judicial Conference of the United States, created a Judicial Conference Committee on Space and Facilities. It was recognized at that time the Space and Facilities function was one of the most important administrative areas for the Judiciary, for without well planned, functional, and secure court accommodations, the administration of our judicial system simply is not possible. The Committee's principal responsibilities are to deal with space issues, to monitor our relationship with the General Services Administration, and to propose policy positions for the Judiciary.

The Conference approved, two days ago, revised Judicial space standards. Through a contract with the Congressionally-chartered National Institute for Building Sciences, a team of consultants conducted a review of the space requirements for all Judicial units over the past three years. From that project we now have a document that will serve a number of purposes: it will help court personnel--judges, clerks, probation officers, and so on--to understand the attributes of the space they need to do their jobs, and it describes those attributes in such a way that design architects and builders can translate the requirements into finished space. This document also can be used to develop cost estimates in establishing standards goals for construction and help contain costs.

Second, the Judicial Conference has directed each court unit to develop long-term facility plans, coordinated and integrated at the district level. Those plans will be based on projections of caseload at 5, 10, and 30 year intervals. The space needed to house the personnel required to handle the projected caseload is evaluated against the ability of current facilities to "expand". The result is an inventory of space needs over a 30-year period. We have completed about twenty plans so far, and have briefed the committee staff on both the process being used and the results thus far. The projections I mentioned to you earlier have been extrapolated from our work thus far.

When all the plans have been done--we think the process will take another 12 to 18 months--we will have a total inventory of projects, both large and small, needed to house the courts for 30 years if current caseload trends continue. Since the plans are all developed using the same basic planning assumptions, we can modify the requirements in light of changes in caseload caused by changes in jurisdiction, for example. We will also be able to provide the Congress a 5-year program of requirements for its priority-setting and show how one project in a district relates to others. In your deliberations, you will have an understanding of the total requirement that must be met, rather than having to look at individual projects in isolation.

Comments on GSA's 1992 Capital Improvements Program

Mr. Chairman, as I have said, we very much appreciate the attention to the needs of the Federal Judiciary evidenced by the number of courthouse projects in GSA's FY 1992 program. There are some projects, however, for which we would suggest some modifications to GSA's proposals--modifications often based on the results of the long-range facilities studies conducted by the courts--and there are some new projects that we would like the Committee to be aware of, in the event that some additional funding capability might become available. In most instances, we believe that GSA does not disagree with the need for the projects, but simply could not fit them into the OMB-imposed budget limitations or did not develop sufficient information in time to include them.

We, of course, would be pleased to work with the Subcommittee and GSA to determine the funding requirements necessary in fiscal year 1992. We also will be happy to work with the Subcommittee and GSA on determining the exact square footage requirements of the facilities.

We ask that the Subcommittee consider taking the following actions:

I. Portland, Oregon

We request that the Committee amend the FY 1991 prospectus authorizing a courthouse in Portland, Oregon, to increase the size from 125,000 occupiable square feet to 370,000 occupiable square feet. We have advised GSA that the prospectus, as authorized, will not meet the long term housing needs of the district court. We recommend that the Congress authorize a new building.

II. Sacramento, California

We request that the Committee amend the existing prospectus for Sacramento, California. Mr. Chairman, the Congress has authorized an addition to the existing Moss Building in Sacramento. The court and GSA have agreed that the current prospectus, authorized in fiscal year 1991, will not meet the long term needs of the courts. The building proposed as an addition to the existing court facility would be one story high, and would substantially occupy the entire site, thus precluding any further expansion. Furthermore, the proposed design of the addition does not match the architecture of the existing building.

As an interim solution to the serious housing problems in Sacramento, we propose that some of the funds previously authorized and appropriated by the Congress be used to meet the short term needs for the district and bankruptcy courts. They would be used to create interim facilities for two judges taking senior status and a judge recently authorized in the 1990 judgeship bill. For the bankruptcy court, the clerk's office has current expansion requirements that must be accommodated.

For the long term, we propose that the Congress authorize, in fiscal year 1992, a multi-story addition to the existing building to meet the court's long term housing requirements. The new facility would provide expansion space for probation and pretrial services offices, as well as expansion space for the district clerk's office, and permanent courtrooms and chambers for senior district judges and the newly authorized judgeship.

We estimate an adequate new building would be about 200,000 square feet.

III. Long Island and Brooklyn, New York

We request that the Committee authorize a new courthouse for the eastern division (Long Island) of the Eastern District of New York. Mr. Chairman, you and Senator D'Amato asked GSA to work with the court in the Eastern District of New York to develop a solution for its long-term needs, since the critical space shortage there had severely crippled the courts ability to function safely and efficiently. The court has asked GSA to submit for Congressional approval, a request for a new courthouse in the eastern part of the district, consolidating two leased court facilities. That request does not appear in the FY 1992 program, and we ask that it be added. Our estimate of the size of that building is 450,000 occupiable square feet.

While on New York, I should mention, Mr. Chairman, that, although no action is requested at this time, the court in Eastern District of New York has selected an alternative for Brooklyn that requires the alteration by the U.S. Postal Service of the historic Brooklyn Post Office. We should know in the next few weeks if that solution is workable. In the event it is not, we would ask that the Committee consider a new courthouse in Brooklyn of approximately 790,000 occupiable square feet. We will, with your permission, be in contact with the Committee when we have additional information.

IV. Tampa, Florida

There is an urgent need for a new courthouse in the Tampa division of the Middle District of Florida. The court in Tampa has experienced an increase of 175 percent in the number of criminal defendants between 1980 and 1990. Civil trials by active judges have been temporarily suspended because the court cannot handle the burgeoning criminal caseload.

A new facility will provide space for all authorized judgeships, and judges who regularly must come from other court locations to assist the court with its workload. Probation and pretrial services offices would also be relocated from their facilities outside the current courthouse to the new facility. We estimate a total of 559,000 square feet is needed to meet the court's long term space needs.

V. Reno, Nevada

We request that the Committee modify GSA's proposed FY 1992 prospectus for Reno, Nevada. The Subcommittee will be considering a prospectus for the long term housing requirements of the federal court in Reno. We support the local court's position that the site proposed for the building will not adequately serve the public and the bar. The proposed site is located in a residential area, across the street from a high school, one and one-half miles from the center of the city; access to the proposed site is extremely limited. We are quite satisfied with GSA's proposal for meeting the court's housing needs, but request that a site be found in downtown Reno rather than in the outskirts of the city. The additional authority requested under the current site and design prospectus to purchase a downtown site is $4.5 million, according to GSA estimates. This would bring the total request for design and site acquisition to $7.4 million.

VI. St. Louis, Missouri

There also is an urgent need for a new courthouse in St. Louis, Missouri. The courthouse in St. Louis, Missouri does not meet the standards for a fully functional judicial facility. Most of the courtrooms in the facility are of inadequate size to properly conduct trials. There is a serious lack of adequate space for support staff, the bankruptcy court is being forced to relocate to leased space, there are insufficient facilities available for assembling jurors, or for conference rooms for attorneys, witnesses and jury deliberations. We request that the Subcommittee add to GSA's 1992 capital program a new 840,000 occupiable square foot courthouse in St. Louis, Missouri.

VII. Portland, Maine

We request that the Committee modify the pending 1992 prospectus for Portland, Maine. The 1992 prospectus requests authority to upgrade building systems in the Gignoux Courthouse. We believe it would be sensible, and indeed cost efficient, to amend the proposed prospectus to include court alterations. In the recent congressional authorization of 85 new judgeships, one is allotted to Maine and will sit in Portland. There are no alternative locations where the new judge can be housed and the court still be able to handle its increasing caseload. A district court courtroom, chambers and related facilities will be required. We estimate that $2.0 million would have to be added to the prospectus.

In conclusion, I would like to thank you for introducing the Judiciary Space and Facilities Management Improvement Act during the last session of the Congress. That legislation would provide the Judiciary with real property authorities, independent of the Executive Branch. The authorities contained in the bill are similar to those of the Legislative Branch and several Executive Branch and regulatory and independent agencies. We look forward to working with you and this Committee on the legislation again this year.

Mr. Chairman and members of the Subcommittee, that concludes my prepared remarks. I again thank you for the opportunity to appear before you today, and would be happy to answer any questions you might have. As I said before, we would be happy to work with the Subcommittee, its staff, and GSA to further refine the cost and square footage estimates I have described here today.

TESTIMONY OF THE

COMMISSION OF FINE ARTS

BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION AND INFRASTRUCTURE

"Excellence in Public Architecture"

14 MARCH 1991

Good morning, Mr. Chairman. I am Robert Peck, and I am happy to be here on behalf of the Commission of Fine Arts and its Chairman, J. Carter Brown, who could not be here today. I have with me Charles Atherton, the Commission's Secretary.

The subject of design excellence in public architecture and how to achieve it has been a concern of the Commission since its inception more than eighty years ago. As you can imagine there is a considerable body of experience that's been accumulated over time and I think we can say with some assurance that the wider we cast our nets in search of talented designers, the more likely it is we will get good design.

This has been true from the earliest days of our republic. There have been many examples of the government tapping the very best talent there was to offer, and the beauty of our city today is eloquent testimony to the wisdom of this approach. From the Capitol to the White House, from Market Square to the Vietnam Memorial, we have through the competition process achieved some remarkably distinguished designs, and we should consider ourselves very fortunate.

Not in all cities, nor in all undertakings in the construction of public buildings, are we so lucky. Where the allure of a prestige location is not present, where the program for the building is prosaic, the results can be disappointing.

More often than not, however, the reasons are just as much the fault of a bureaucracy that is indifferent to the need for design excellence as it is an uninspired or otherwise mediocre professional response.

Competitions are no cure-all -- no guarantee of success, but they certainly point the way toward increasing the odds of getting good design. More than anything, they bring a sense of excitement and importance to the undertaking, a chance to focus on the public aspects of a work in the largest sense of that word, and with luck the chance to kindle a bit of pride. Anytime one can generate those ingredients there is going to be a lot of interest, and that is the secret in obtaining first rate designers.

There has been a recurring feeling in certain quarters that competitions are a lot of trouble. They take time, they cost money, they can result in controversy, and they are not always a sure bet.

But in the long run, is it not better to take the time, the care, and the chance, if the final result is something of which the public can be proud? The Commission believes it is.

Now having championed the cause of competitions, let me identify a few things that can limit their effectiveness. No competition, no matter how brilliant the designs or designers, can be much of a success if there is no one on the jury who can recognize brilliance when he sees it.

Thus jury selection becomes a critical part of the process. To mandate a government-wide system of holding competitions to secure design services would be foolhardy indeed if there were no way of controlling the selection of those who ultimately make the choice of design. Much time and energy, and a good deal of wisdom is needed to impanel a good jury.

Another critical area is the formulation of a wise program for the building at hand, one that inspires and opens doors to ideas rather than limits choices at the outset. If it constricts, confines, or goes too far in shaping a concept of design, then it likely will fall short of the competition's intended goal, and much of the creative energies that otherwise would be brought to bear on bringing forth a distinguished design will be wasted on a second-rate solution.

Our last point -- some of us consider it the most important of all -- is that the competition is for the selection of the designer, not the design. It must be remembered that ideally the design process, if it is to succeed, must rely heavily on the fruitful collaboration of designer and client. No great designs are made in black boxes, yet a competition, by its very nature, excludes this kind of collaboration throughout. It is not until the competition is over and the choice of designer is made that this vital process can even begin. So it is a most important factor, and everybody ought to be aware of its importance before entering into the competition. Many an otherwise successful competition has failed in the final analysis simply because this absolute necessity was not recognized at the outset and bitter controversy over the design resulted.

Let me say once again that the Commission is encouraged and excited by the prospects of creating better public buildings and better public art. The way in which design affects our lives for the better at every level is a concept now widely acclaimed, and whatever your committee can do through these hearings or through the enactment of legislation to further these ends will be greatly in the public interest.

March 14, 1991
TESTIMONY
OF
MINA BERRYMAN
ACTING DIRECTOR
DESIGN ARTS PROGRAM
NATIONAL ENDOWMENT FOR THE ARTS

U.S. House of Representatives
Committee on Environment and Public Works
Subcommittee on Water Resources, Transportation and Infrastructure

Encouraging Excellence in Public Architecture

The Design Arts Program of the National Endowment for the Arts encourages excellence in all of the design disciplines – architecture, landscape architecture, historic preservation, urban design and planning, industrial, graphic, and interior design –through a combination of grants and leadership initiatives. The fundamental mission of the Program is to create a clearer understanding and recognition of good design; to enhance the public's appreciation for and conservation of our design heritage; to invigorate informed discussion and criticism of design; and to renew creativity in approaching design problems. Matching grants, fellowships, and cooperative agreements are the mechanisms through which the Program supports projects that advance American design practice, research, theory, communication, and education.

Each year, approximately one-third of the Design Arts Program budget is allocated for leadership initiatives. Unlike design activities supported by grants, these initiatives are created and managed on a day-to-day basis by Program staff and a private sector organization selected to cooperate with us. We have recently reorganized these initiatives into four major categories of concentration. The Public Realm concentrates on urban as well as rural design issues through programs like the Mayors' Institute for City Design, the Design for Housing Forum, and the "Your Town" Training Program. Our Corporate Realm category is primarily concerned with efforts to synthesize industrial design into the curricula of business schools, the ultimate goal being improved understanding of design as a competitive tool in product manufacture. Through a new program called Design Access, we are enhancing our Professional Development category by providing information and technical assistance to grant applicants as well as other design professionals; because the field lacks the institutional structure that sustains the visual arts, for example, it is up to us to play a central role in the coordination and dissemination of design information. Finally, our Federal Realm category concerns itself with the improvement of federal design, including architecture. As the government's only full-time advocate of design quality, the Program has a distinguished history as a catalytic force in the improvement of federal design that continues today.

After a flurry of interest in design excellence that resulted from the *Guiding Principles for Federal Architecture* issued by President Kennedy's Ad Hoc Committee on Federal Office Space in 1962, the notion of design quality in the federal government languished. In 1972, the Design Arts Program initiated the Federal Design Improvement Program following a proclamation to department and agency heads issued by President Nixon that outlined the need for design excellence in federal programs and projects. Activities that have been undertaken as part of the program since then have included the Federal Graphics Improvement Program, a peer-group review of federal agency graphics, publications, and other forms of visual communication by distinguished professional designers which involved more that 60 agencies. Federal Design Assemblies held in the late 1970s introduced top-level federal administrators to design as a management tool, and were followed by the publication of Design Matters, a newsletter about design issues within the federal context that was circulated by the Design Arts Program to agencies throughout the government. A joint initiative between the NEA and the Office of Personnel Management, "Excellence Attracts Excellence", effected a much-improved review system for the hiring of designers by federal agencies. Perhaps the most critical component of the Federal Design Improvement Program, however, was the Federal Architecture Project, a comprehensive historic survey of federal architecture that resulted in the publication of The Federal Presence. An authoritative history of 200 years of federal building, The Federal Presence has been an essential tool to those of us involved in the design, construction, or restoration of federal buildings since its publication in 1978. The Project staff was also instrumental in the formulation of the Public Buildings Cooperative Use Act of 1976 which authorized adaptive use of federal buildings and the accommodation of both commercial and public use in federally owned or leased buildings. The Old Post Office, the Pension Building, and

Union Station, all here in Washington, are all excellent examples of the successful adaptation of historic landmark buildings to a variety of uses. And the International Cultural and Trade Center slated for the site that will complete the Federal Triangle will exemplify the vitality in new construction made possible by the act, as well.

Despite the successes of the Federal Design Improvement Program in the 1970s, its activities subsided until the Presidential Design Awards were initiated in 1984. Since then, two rounds of awards recognizing excellence in all of the design disciplines have been conducted by the Design Arts Program, both with the full endorsement of President Reagan, and a third has recently been approved by President Bush for announcement later this month. The excitement generated by these recognition programs among federal designers as well private sector designers has spawned similar efforts by other agencies. Having served as jury chair for the first round of the President's Historic Preservation Awards conducted by the Advisory Council on Historic Preservation in 1988, I was pleased to oversee Design Arts' coordination of awards programs for the U.S. Postal Service and, as you know, for the General Services Administration. All of these programs have been tremendously successful, not only in recognizing designers and federal administrators for their talent and dedication to design quality, but in promoting the role of the government as an informed client eager to commission professionals of high caliber. Dispelling the notion widely held within the design field that the government cares little about design quality is an important step in attracting the best designers to government commissions, and we have found that awards programs are effective tools for communicating the the government's desire to return to its days of enlightened patronage.

Clearly, though, morale and perception problems are not all that plague the house of federal design; if anything, the Presidential Design Awards illustrated the need for a rejuvenated design improvement program. To clarify issues of design philosophy, policy, and process raised in the course of jury deliberations, the Endowment undertook extensive research in 1988 and 1989 to determine the state of federal design in all of the disciplines. The study of architecture was undertaken with two goals in mind: to ascertain the status of architecture as a design art in the federal government; and to propose recommendations to help improve federal design. The study produced 16 recommendations ranging from defining design quality to celebration of the role of the public architect which are attached as Appendix A to this testimony. Most important, however, was the concensus that emerged from the study that the state of federal architecture is not so much poor as it is extremely uneven. This concensus has since been underscored by virtually every panel of experts convened by the Design Arts Program when the subject of federal architecture is discussed. Opinions as to why this is the case differ widely, but I would like to offer the following general points which the Design Arts Program would urge underscore any changes in federal policy as it relates to design quality.

Design is important.

The message that design is important needs to reach a broader audience within the federal government as well as the general public. Education about design and the process that creates it results in "pride of ownership" and increased participation among the citizenry. Every day, design touches our lives in innumerable ways. It is unavoidable. In the best of circumstances, it inspires joy; most frequently, however, it is taken for granted as the neutral background for human endeavor. Indeed, design is noticed most often when it is of poor quality – the source of confusion, inconvenience, or discomfort. David Brown, president of Pasadena's Art Center College of Design, did not exaggerate when he recently remarked: "The natural world may or may not have been designed; that is a question of faith. Everything else in the world, however, has been designed; that is a statement of fact." It takes only a moment to validate this understanding. Consider this: the room we sit in, and the building it occupies were designed by architects; Washington, D.C.'s growth has been guided by urban planners through two centuries as well as by a vareity of design-related building and zoning regulations; its parks have commanded the attention of landscape architects and its historic structures have been given new life through the efforts of experts in preservation. On a smaller scale, the cups we used for morning coffee, the paper we read, the cars we drove, the clothes we are wearing, the chairs upon which we sit, all are the results of a complex, collaborative design process.

We face a spectrum of challenges and opportunities when considering the prospect of excellence in public architecture. Though many are well aware of the role design plays, the general public and many policy-makers, are not. Design is a problem-solving process, a method for giving form to function and, perhaps of greater significance to federal buildings, of giving form to values. At its most inspired, design is an art form. But unlike other arts, design is not a matter of choice. Tight budgets are not, then, an excuse for poor design; some of our most inspired designs have been born of harsh constraints. Designers are essential to achieving the best results, particularly when resources are limited.

We are now witnessing a climate of great expectation for what design can do. As we grapple increasingly with environmental issues, designers are more and more often a vital part of problem-solving teams, familiar as they are with resource conservation, recyclability, and new technologies. Most business experts, even if they do not use the term design, have agreed that executives must acquaint themselves with the product development process. *Time Magazine, Business Week*, and *Fortune Magazine* have all carried design as cover stories and have featured design segments on topics ranging from products to low-income housing. While design is now a newsworthy item, it is up to government leaders and legislators to ensure that the attention is not transitory. Design excellence should be inherent in our thinking, our education, and our way of doing business; good design should be the bottom line. Our public spaces have historically been viewed as expressions of our culture and our intentions – when they are ugly, confusing, and inefficient, they send a very powerful message about the government. And it is not positive.

Educating federal managers and administrators about the design process is essential.

Whatever the experience of those involved in authorizing, managing, or administering a design project, it is essential that they understand the roles of design and of the designer(s) in project they are undertaking before they begin. Last summer we assisted GSA in conducting a charrette that produced design guidelines for the development of the Southeast Federal Center, a 55-acre parcel adjacent to the Navy Yard. It was an instructive experience for GSA, but we learned, too, of our unique qualifications to assist other agencies in this preliminary but vitally important stage in the design process. In two weeks, we will conduct a charrette for the Department of the Treasury's Bureau of Printing and Engraving which will result in guidelines to assist Bureau staff in selecting a design team by enumerating the preservation, urban design, and landscape issues that should be addressed by a design program, in addition to the qualifications that the design team should have and the services they should provide. We are also working with the American Indian Council of Architects and Engineers to develop design alternatives for more humane and culturally responsive housing for Native Americans. Seven charrettes held on reservations of representative tribes throughout the U.S will result in design guidelines that will be distributed by HUD's Office of Indian Housing to Tribal Housing Authorities.

Our experience in assembling panels of experts for the review of grant applications six times a year, in addition to the special teams of designer professionals convened for our initiative programs, has proven to be our most valuable asset in assisting other agencies with the charrette process. It is an educational process for administrators as well as project managers and staff architects that results in the agency's better understanding of the project. A charrette, however preliminary, can only result in improved design. Conducted at fraction of the cost of any building project, we advocate the charrette process enthusiastically as a first step for any client considering a design project and will assist any federal agency that asks us to help them.

To address what our research tells us is a lack of understanding about federal design, we have also decided to take advantage of the exhibition format to undertake a major educational effort. Planning began last year for a national exhibition on federal design from 1965 to 1990 which will be an important teaching opportunity for the general public and sponsors of design including federal agency heads and members of Congress. Opening at the National Building Museum in Spring, 1992, programming including symposia, panel discussions, and tours will be planned around the exhibition's Washington venue for federal designers and administrators as well as the public. Components of the exhibition will also be designed for travel to sites of featured agencies, design schools, and non-profit organizations.

The process for selection of designers needs to be changed.

Policy must be an expression of philosophy. If we accept that the *Guiding Principles of Architecture* are as valid today as they were 20 years ago, we need to develop policies that express and enforce them, particularly in the procurement of design services.

Selecting a professional design team – whether it is comprised of architects, urban planners, landscape architects, preservationists, artists, or a combination of all of them – presents a difficult challenge. Under conventional procedures, a federal agency "client" must rely on the reputations of the professionals who respond to a Request for Proposals (RFP), usually issued and administered by GSA. Whether these reputations have been established by word of mouth, publications, or recognition programs, this process often overlooks many qualified designers. And selecting a "signature" or "star" firm does not guarantee success. Politics can also enter into the contract selection process, and many firms and designers simply do not compete because they think there is too much "red-tape" involved to merit their efforts, (not only in the selection process, but in the design and construction process, which is another subject altogether.)

There are many ways to go about selection of a design team – we advocate policies that would allow firms to compete for jobs much in the same manner that they do in the private sector. That is, a mechanism through which they may demonstrate their talent, creativity, and suitability to the project or program in question must be provided on a more regular basis. Systems in current practice often restrict designers' abilities to demonstrate their viability by limiting their presentations to the bare minimum of relevant information about their firms.

Government managers must also be encouraged to recognize the talent designers have in creative problem solving and to bring them into the discussion early on. Designers, whether government employees or private consultants, should be selected for the substantive contributions they can make to conceptual thinking at the very beginning of project development to save both time and money. Moreover, a "one-size-fits-all" mentality in assigning the designers who act as project managers within federal agencies to oversee projects of all manner of size, scale, and complexity only adds to the problems created by faulty selection processes for outside talent.

One way to approach selecting design talent is through the design competition. While we do not advocate the competition as the selection process for every kind of project, it can provide a way to select design professionals, not merely on the basis of past reputation, but on the basis of a specific response to the project at hand. Idea competitions can also be held to raise attention or solicit concepts for a general topic, such as infill housing, bridges, or rural post offices. Given a soundly conceived vision, clear purpose, and good management, many memorable places and buildings have been created by competitions. The roster includes the U.S Capitol, the White House, and the Washington Monument as well as the Chicago Tribune Tower, the Jefferson Memorial Arch in St. Louis, and the Vietnam Veterans Memorial. Competitions can be useful regardless of city and project size, too. The Town of Leesburg, Virginia, for example, conducted a successful competition for a new public building in the midst of its 18th-century downtown.

As with any process, there have been successes and failures in competition history. Unsuccessful competitions have, as a rule, been flawed in their larger context, concept, or management, rather than in the competitive process itself, however. Design competitions cannot overcome or correct fundamental problems with the program, purpose, or site of a proposed project, however. Major points to address when condering a design competition as a mean for selection are very briefly summarized in Appendix B. The Design Arts Program can provide extensive information about the management of design competitions as requested.

Clearly, a lack of design talent – public or private – is not the problem. We have a valuable cadre of professionals in the federal government and we ought to test the boundaries of their abilities, giving them the latitude to solve problems. A good climate for designers includes involvement throughout the design process, confidence in their judgement, reasonable time and budget constraints, and close working relationships with the whole project team, including other designers and supervisors. Only changes in policy and procurement procedure can bring about the necessary changes to create the working environment that will result in the standards of public architecture that we seek.

Federal managers of design should have design experience.

Because design is collaborative and evolving, managers must be flexible, open to dialogue, and knowledgable about the process. Policies that enable federal administrators, federal designers, and the design consultants they hire must engender comprehensive and collaborative planning but allow for flexibility and change. The creation of federal architecture is driven by the same forces that drive any design process; practical constraints, unforeseen contingencies, and even design "discoveries" disturb the smooth operation of the most rigorously planned design and construction process. Designers of federal buildings can be the catalysts that limit the inevitable realities of the building industry, shortening the time in which an agency gets the kind and quality of space it needs and within the budget it has to spend. But they must participate in every stage of development and be managed by federal administrators who understand the process from a design perspective. As such, they can help to ensure that no incremental change will upset an important objective while maintaining standards of design quality. Again, policies must be instituted that enable federal agencies to procure quality design services not only from the beginning of a project, but also as the need becomes evident throughout the course of design and construction. The client of design services needs to be flexible.

Collaboration, not only between the design disciplines, but also among federal agencies and design managers is also important to improving design quality, as techniques for managing the design process, accounts of success and failure in the creation of design, can be shared through informal meetings of federal administrators. Professional training and continued education opportunities are essential to keeping talented designers and project managers in federal agencies. Communication among the agencies is a cost-effective way to improve the quality of work, to share ideas, and maintain the interest of federal designers.

Collaboration between designers and visual artists should also be a priority in federal design and encouraged through initiatives like GSA's Art in Architecture Program. In addition to public art collaborations between designers and artist, studio crafts artists can also collaborate on elements of a new building, such as lighting fixtures or doors and hardware, to make unique contributions to building projects. In Hartford, Connecticut, for example, the City Hall renovation included funds for artists to create the entrance and lighting elements of the interior in collaboration with the architect and interior designer, using percent-for-arts-funds.

The government's role in the design community should be one of leadership, and the NEA can play an important part in making that happen.

There was a time in modern American history when designers were capable of integrating the design arts into the mainstream of everyday life. The 1930s streamline era created products that captured the imagination of an entire country. Everything from electric toasters to skyscrapers became expressive of speed, progress, and motion, and they were immensely popular. They were designed for pleasure and utility in our everyday life, not for the museum, the boutique, or the media. The designers of such products became stars in a few short years. If today the images of speed no longer hold the same magic for us, the quality of physical empathy evoked by streamlined objects should nonetheless be a message for today's designers.

We need a similarly powerful and uniquely American design initiative now. We need not simply repeat successful stylistic preferences or materials and techniques – the federal government should not endeavor to follow the market. Rather, we should lead the way. Walter Dorwin Teague, one of those pioneers of industrial design who enjoyed the stardom that is so seldom available to American designers now, said, "Visionaries may dream of Utopia, but it will be built by men whose estimate of subjective values is constantly corrected by experience with tangible realities." As the only unit in the government solely concerned with creativity and quality in the design arts, we support the Committee's efforts to increase the quality of design as we continue our work in the Federal Design Improvement Program. We urge you to help us do all we can to enable designers and other government leaders be both dreamers and realists.

Appendix A

Recommendations contained in "The State of Federal Architecture", (A report prepared for the National Endowment for the Arts, April, 1989).

1. Define design quality.

2. Target new constituents for design initiatives, recognizing the role of federal administrators as part of a design community.

3. Encourage an increase in the number, frequency, and scope of federal awards programs.

4. Survey federal buildings constructed in the last decade and assess their design quality.

5. Help agencies develop their own *Guiding Principles (of Federal Architecture)*; or encourage agencies to adopt the extant *Guiding Principles* as their own.

6. Study the programming process.

7. Examine the process of procuring architecture.

8. Assist in the administration of design competitions.

9. Keep survey respondents (of questionnaire used in study) informed of all new initiatives.

10. Reconvene the federal design assemblies of the 1970s.

11. Sponsor seminars on team-building and charette processes.

12. Encourage federal architects to enter design competitions.

13. Work with OPM to improve recruitment of federal architects.

14. Help agencies train construction supervisors.

15. Study wider application of post-occupancy evaluation.

16. Celebrate and support the public service aspects of federal architects – namely, that federal designers help create efficient and pleasing structures in which all Americans can take pride.

Appendix B

Summary of Major Points of Concern in the Administration of Design Competitions. (Please contact the Design Arts Program, 202.682.5437 for more information)

Process Adhere to the process once it is planned. A well planned and administered competition process will enhance to the quality of the results. Competitions can make quality possible as long as the procedures are correct and supportive.

Real Projects Sound projects, not unpopular or difficult situations, should be selected for competition. Competitions can enhance the political and public participation process, but cannot be a substitute for either.

Public Participation Design competitions can elevate the public's willingness to support public work. It increases the public's expectations for quality design – private as well as public. Well-run competitions help build confidence in the government's capabilities in general.

Accessibility The more participation in the conceptual design stage, the better. The competition system is a proven way of finding talent, then putting it to good use. Finding creative talent is critical to the thoughtful solution of federal objectives.

Program A very thorough site and/or building program is mandatory. Ingredients include a clear statement of need, competition rules, identification of a professional advisor and jurors, design information, schedule, prizes, and announcement plans.

Professional Advisor Critical to the success of the program, the professional advisor should have expertise in a design field, both administrative and design experience, and a demonstrated ability to work with the government's needs and representatives. A detail-oriented person with the highest standards of integrity and quality is an important ally in obtaining design excellence.

Jury Highly qualified professionals, representing (but not prejudiced towards) different design expressions should comprise the jury. Highly esteemed jurors will attract the best talent and inspire their best work. Professional jurors are best able to judge the merits of the designs, their practicality, suitability to the client's needs, costs and context. Jurors should include different disciplines. Lay participation is best reserved for public viewing of the competitors and other competition milestones throughout the process, indirectly. Direct citizen involvement as jurors undermines the process by confusing the two purposes, design selection and public participation. Both are important and both should be done by those best trained to each purpose.

Select Winner for Construction To ensure the most conscientious work and to ground the whole process in reality, the winner should be retained to complete the design and supervise the construction process.

Compliance with Rules All entries should be scrupulously checked for compliance with the rules of the competition before going to the jury. The disqualification of submissions that fail to meet the guidelines is critical to the government's interests, fairness to applicants, and the integrity of the finished product.

Competitor Anonymity Honesty and anonymity is fundamental to ensure competitors are judged fairly and on the basis of their submission.

Public Presentation of Winning Design Ideally, this should include the jury's report, a display of the winner's and runners-up entries, issuance of formal results to all competitors, public media information, and a catalogue. Records of the process should be retained in an archive, if possible.

THE AMERICAN INSTITUTE OF ARCHITECTS

Statement of
The American Institute of Architects
to the
Senate Subcommittee on Water Resources, Transportation and Infrastructure
on the Subject of
Excellence in Public Architecture

March 14, 1991

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The American Institute of Architects commends the Senate Subcommittee on Water Resources, Transportation and Infrastructure for its recognition of the need to encourage excellence in public architecture by scheduling a hearing on this subject. Since hearings were last held on this subject a decade ago, a number of admirable and distinctive federal buildings have been designed and constructed. Unfortunately, such a generalization cannot be made of all federal construction accomplished since those hearings.

The AIA believes that the federal government has a responsibility to be concerned with the image, functional effectiveness and lasting architectural values of the buildings it constructs. Toward this end, the AIA supports federal laws and regulations encouraging distinguished professional design that serves the public well and expresses the dignity of our government.

Senator Moynihan, having played such a similarly crucial role under President Kennedy in 1962, has once again reminded us at the recent design awards program of the General Services Administration of the need for guiding principles for federal architecture. AIA wishes to amplify the need to "design and maintain public buildings in such a manner that they bear visual testimony to the dignity, enterprise, vigor, and stability of the American government.." Perhaps at no other time in our history has the need been so great to demonstrate not only to our nation but also to the world just what our government stands for. Freedom, opportunity, compassion and commitment can be transmitted through words - but we believe our architecture also bespeaks our culture, traditions, desires, and dreams. In short, architecture reflects the mentality and morality of a nation. Thus, it should come as no surprise that American architects are forever challenging and promoting new concepts.

Our government has a responsibility to be concerned with the image and impact of the buildings it constructs in our communities. With every building it creates a heritage, good or bad, for the future, and influences local community and regional development. The federal government must recognize that these buildings are symbols of U.S. strength and not real estate investments per se. Whether downtown or in the suburbs; whether a large city or a historic village, they are community anchors. Over the years, outstanding examples of federal design initiatives have emerged. Yet much more needs to be done.

In the 10 years since hearings were last held on this subject, the nation has seen laudable efforts to minimize expenditures for federal buildings by using leases and innovative contracting procedures. While these efforts have had some successes, they generally have had an adverse impact on the quality of design and resultant construction that the federal government receives in buildings that it uses. An example is the federal office building in Tallahassee, Florida which the government leases from a developer. A quick examination of this structure finds that the condition of this building, which was designed and constructed under an "innovative project delivery method," is deplorable. Certainly this structure projects little, if any, confidence in our government.

The question always arises of how to improve the quality of design in federal buildings. The AIA firmly believes that "Qualifications-Based Selection" under Public Law 92-582 is the key to quality buildings. Under this law, the agency heads announce publicly all requirements for architectural and engineering services, and negotiate contracts for those services on the basis of demonstrated competence and qualification for the type of professional services required at fair and reasonable prices. Further, the law requires agency heads to evaluate all interested firms based upon their own statements of qualifications and performance data, and to conduct discussions with no less than three firms regarding the proposed project. Upon completion of this thorough review procedure, the firm under consideration must be ranked in order of preference. Contract negotiations are then initiated with the firm ranked first in the detailed selection process. This "Qualifications-Based Selection" process is fair. It is well understood by the design community. And the AIA sees no reason for changing it since many commendable designs have been procured under it.

A suggestion has been made that design competitions should be utilized in order to improve the quality of design in federal buildings. The legislative history of Public Law 92-582 shows that the use of design competitions on federal projects is permitted when "the additional cost justifies the approach and when time allows." The AIA supports the use of design competitions when the competition accommodates the above two provisions, particularly if greater exposure to the public can be achieved. These conditions, however, are rarely present in a federal project, and therefore, the AIA does not recognize design competitions as an effective method for selecting architects for most federal work. The AIA does support the use of design competitions to select architects for federal projects of national or regional significance where the additional cost justifies the approach and when time allows. The AIA has developed a handbook on design competitions which outlines AIA's positions on them, and copies will be made available to members of this subcommittee for their reference. Some of the requirements for a well-run competition include:

- a conscientious sponsor,
- a competent professional adviser,
- a thorough and carefully written program,
- complete graphic and other illustrative material,
- fair and precise competition rules,
- clearly stated submission requirements,
- a realistic schedule, and
- a qualified jury.

Other requirements, including a description of them, are contained in the handbook.

Another idea that has been discussed over the years to improve design quality is to increase the level of public participation. This idea has a great deal of merit and deserves more discussion and review. Since the final selection of architectural professionals for important government facilities is often made by people with little or no design experience, public advisory panels with architectural and related design expertise can provide valuable guidance. The state of

California uses a panel of professionals selected from the public, and this concept appears to work well there for a review of designs for its state-owned buildings. AIA would like to explore with the General Services Administration and other organizations such as the National Endowment for the Arts how such an arrangement might work particularly as applied to design competitions of national or local significance.

The AIA is also concerned with the business aspects of federal design that have an affect on the level of quality that is provided. AIA believes that the present statutory 6 percent limitation on a designer's fee can, in some cases, inhibit the quality of design. For example, an increase in the cap would, in some cases, permit a designer to spend the extra time necessary to accomplish a higher level of detail and would facilitate the use of more qualified staff to do a better job. While a higher fee will not necessarily provide a better quality of design in every case, an increase in the statutory limitation would eliminate one of the constraints in obtaining quality designs. The AIA encourages the subcommittee to study this issue further.

The AIA was asked at previous hearings on the subject of design quality for its opinion on the establishment of a position of "Supervisory Architect" within the Public Buildings Service of the General Services Administration. We believe that the "Supervisory Architect" should be a licensed architect if such a position is reestablished. We believe that the reestablishment of this position, with accompanying responsibility to oversee development of designs, would be a positive step toward achieving the goal of improved design quality.

In conclusion, our federal and public buildings present an immense opportunity to confirm the most important values of our nation while at the same time providing the most livable of environments to serve the public. The AIA believes that Congress should reaffirm the guiding principles for federal architecture which were developed in 1962 and should initiate steps toward their fulfillment.

Handbook of Architectural Design Competitions

1988
Published by The American Institute of Architects

Preface

Design competitions have been a subject of interest to members of The American Institute of Architects since its founding. In 1870 the AIA issued its first "Schedule of Terms" regulating the conduct of architectural competitions. Over the years a series of documents was developed to promote fair conduct on the part of all competition participants. Like other methods of architect selection and design exploration, architectural competitions must be managed carefully and judiciously. Therefore, the Institute advises that any sponsor undertaking a competition inform itself thoroughly about the detailed procedures, methods and techniques involved. Well-run design competitions require:

— a conscientious sponsor,
— a competent professional adviser,
— a thorough and carefully written program,
— complete graphic and other illustrative material,
— fair and precise competition rules,
— clearly stated submission requirements,
— a realistic schedule,
— a qualified jury,
— appropriate prizes,
— arrangements for publicizing the winning design.

The Institute's participation in competitions is advisory and informational. Decisions regarding the appropriateness of the competition method or of a particular type of competition for a specific building project must be made by the sponsor after careful analysis.

This handbook has been produced for sponsors, architects and others interested in learning about the proper procedures for running an architectural design competition. "The Competition Method" provides a brief overview of the design competition system of architect selection. It discusses the types of competitions that can be held, the design "dialogue" they stimulate and the conditions which make a design competition appropriate or inappropriate for a specific project. The next four sections describe in detail the roles and responsibilities of the competition sponsor, the professional adviser, jurors and competitors. "The Competition Program" recapitulates many of the themes developed earlier in the handbook while offering a step-by-step guide for the preparation of a sound and thorough competition program. The time planning and cost estimating guides are included as aids to competition sponsors and professional advisers. Finally, a brief bibliography has been included for the student or professional who wants to learn more about architectural competitions.

The **Handbook of Architectural Design Competitions** has been prepared by the Competitions Task Group of the American Institute of Architects' Committee on Design. The original publication was supported in part by a matching grant from the Design Arts Program of the National Endowment for the Arts to the AIA Foundation. For advice regarding application of this document contact:

Design Programs
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The Competition Method

A Method of Selection

An architectural design competition is one method of finding a design of quality. It generates a broad search for the best solution to a particular building opportunity. The architects who compete for a prize or commission each try to develop a design that answers the program requirements of the client/sponsor. A properly run competition requires that the architect-competitors:

— receive a program prepared by a competent professional adviser,
— work under fair and equitable rules,
— have their submissions evaluated, solely on the merits of their designs, by a qualified jury.

Like other methods of architect selection, design competitions must be managed carefully and judiciously, in this case by a professional adviser. With the assistance of such an adviser, a competition sponsor should inform itself thoroughly about the detailed procedures, methods and techniques involved in holding a competition.

Appropriate Conditions

Design competitions can be used for a wide array of design opportunities: houses, office buildings, parks, squares, libraries, schools, apartments for the elderly, etc. It is the sponsor who must determine if it is in a project's best interests to hold a competition. The following guidelines outline the criteria to be examined in determining when a competition is appropriate:

— The project requires a wide degree of design exploration.
— The project is on an important or unusual site. It may be located in an historical area, or the site itself may be unusual in location, terrain, vegetation or visual impact.
— The project features a type of structure that deserves a fresh examination by the design community.
— The project will have a great and beneficial influence on subsequent design work.
— The project will benefit from the additional public interest a competition may generate.

In summary, *the project considered most appropriate for a competition is one that is best served by addressing the problem to a wide range of talent that will submit a broad array of design concepts for evaluation by recognized experts.*

Inappropriate Conditions

Projects are inappropriate for competitions when any of the following conditions exist:

— *Projects the client wants built on a very short schedule* are poor candidates for competitions, since there may not be adequate time to plan, organize, manage and judge a competition under these circumstances.
— *Projects for which a sponsor is unwilling to establish a qualified jury* should not be undertaken as competitions.
— *Projects for which an adequate development budget is not available* will not be successful. The additional expense of holding a competition is a modest one relative to total project costs, but adequate initial funding is essential.
— *Projects that are insufficiently financed*, but for which a sponsor hopes that a design chosen in competition will either help raise the funds or generate sufficient interest to make eventual construction possible, tend to squander the competitors' design efforts while raising false hopes regarding a project's realization. Design competitions should not be used as fund-raising events.

- *Projects for which sponsors do not offer sufficient prizes* solicit design advice without providing proper remuneration. If a sponsor cannot afford adequate prizes, it is not in a position to hold a competition.
- *Projects lacking adequate professional advice* result in poorly run competitions that benefit neither sponsor nor competitors.
- *Projects without a sound and adequately developed program* do not sufficiently inform the competitors. A design competition should not be held to search for programmatic needs, but rather to discover different ways of addressing such needs.
- *Projects that do not guarantee fair and equitable treatment for all competitors* violate a central principle of design competitions.

A Variety of Projects

Competitions have produced projects of all types in the United States, including:

- Grand Central Station, New York, N.Y.;
- Board of Trade Building, Kansas City, Mo.;
- City Hall, Boston, Mass.;
- Jefferson National Expansion Memorial, St. Louis, Mo.;
- College of Architecture and Planning, Ball State University, Muncie, Ind.;
- Art Museum, Charleston, S.C.;
- Tribune Tower, Chicago, Ill.;
- Housing for the Elderly, Trenton, N.J.;
- Civic Center, Los Gatos, Calif.;
- State Capitol, Lincoln, Neb.;
- Plan for Washington University, St. Louis, Mo.;
- University of California Arts Center, Berkeley, Calif.;
- Police and Courts Building, Jacksonville, Fla.;
- Copley Square, Boston, Mass.;
- Washington Monument, Washington, D.C.;
- Branigan Memorial Library, Las Cruces, N.M.;
- Central Park, New York, N.Y.;
- Birmingham-Jefferson Civic Center, Birmingham, Ala.

Competitions

The competition process is readily adaptable. It can generate a wide array of solutions to a variety of design problems. Competition formats can be modified to accommodate most project requirements. Indeed, each competition must be designed to suit a particular set of circumstances.

The first question to be addressed is what the competition is for. The basic division is between competitions for projects that are to be built, undoubtedly the most useful type, and competitions for exploring design ideas.

Project Competitions lead directly to the erection of specific projects on definite sites. The sponsor's goal in holding such a competition is to:

- *select a design solution* for the project that is judged the best of the competition. With that, the sponsor will also
- *select an architect* who will be commissioned to develop the design and realize the project.

Idea Competitions are held for projects that are not intended to be built. They are useful as explorations of significant design issues, but are limited insofar as they stop short of realization. Nevertheless, idea competitions can stimulate interest in untried possibilities in such areas as memorials, symbolic architecture, city planning and urban design. The subjects for idea competitions should be carefully chosen. Designers are likely to be wary of entering idea competitions that promote or advance a narrow interest, that fail to benefit either the public or the profession, or whose benefits are limited because the ideas cannot be applied or realized.

A second question to be examined is eligibility; that is, who is qualified to enter a particular competition.

Open Competitions are addressed to the entire national or international architectural community. They may be entered by any licensed architect. Usually, open competitions permit entries from architectural designers, students or other design professionals, provided they associate themselves with an architect. The purpose of such an association is to assure a sponsor that the design concept being offered in a project competition has come from an experienced professional and can be realized, should it be selected. Idea competitions and some project competitions are even more "open." They permit students, associates and professionals in various design fields to enter their submissions directly.

Open competitions are appropriate under the following circumstances:

- The nature of the project suggests that all architects have an equal opportunity to be selected on the basis of design merit.

- The project requires the widest exploration of potential solutions made possible by an open competition.

Limited Competitions restrict the submission of entries to a specific set of architects, such as those who reside within a specified area, are licensed to practice within a particular state or who satisfy other conditional requirements.

Budget restrictions, a desire to make use of local talent, an awareness of and sensitivity to local or regional styles and concerns or a small-scale project that requires a site inspection may all suggest the holding of a design competition limited to those architects living in a specified area.

Invited Competitions are appropriately used by sponsors who want to address their design needs to a small number of firms—frequently six or eight—whose work is of interest to them. The competing firms are paid a fee adequate to cover the costs of their work. In effect, invited competitions "commission" the preparation of several design concepts. Through the recommendation of a qualified jury, the sponsor can then choose the most appropriate design for its building project. Invited competitions also enable the competing firms to develop their designs to a greater degree of detail.

Student Competitions limit the submission of entries to those who are enrolled in a school of architecture. Winners may earn a special prize, such as a scholarship, fellowship or travel award.

A third important question is the phasing of competitions, the steps and time sequences that are employed.

One-Stage Competitions select a winner and rank other prize winning designs in a single sequence. The majority of design competitions are held in one stage, since the requirements of a single-stage submission can be reduced or expanded in relation to the complexity of a project. For idea competitions and real projects of moderate size, a single design phase is usually sufficient as a test of the competitors' designs.

Two-Stage Competitions afford competitors a chance to develop further their initial designs. Those architects who are invited to participate in a second stage receive compensation both as a reward for their work in the first stage and as a means of paying for costs incurred in developing their more detailed second stage entries. The advantages of holding a two-stage competition are summarized as follows:

- It reduces the amount of work required in the original first-stage submission, thus attracting more entries.
- It is an excellent process for selecting promising concepts in the first stage that can be further developed in the second.
- It provides the opportunity for comments by the sponsor and jury before the start of the second stage so that suggestions can be transmitted to the competitors before they refine their designs.
- It permits a further level of judgment on the part of the jury, since in the first stage, only concepts are sought, while in the second, the detailed development of these concepts can be rigorously examined.

Two-stage competitons are appropriate for complex building projects. They encourage architects to undertake a broad exploration for general design concepts in the first stage, while requiring detailed design elaboration in the second.

In the evolution of the competition tradition, formats have been established for a variety of highly specialized projects.

Product Competitions are sponsored by manufacturers interested in the promotion of particular types or brands of building materials. Designers may be reluctant to enter such competitions because they are frequently of more benefit to the manufacturer than the participants. As a result, manufacturers might give careful thought to serving the public concern (and through it their own interests) by sponsoring competitions for subjects of significant public concern rather than holding narrowly defined product competitions.

Prototype Competitions may be sponsored by corporations interested in the prefabrication of various kinds of structures. Architects may be wary of entering prototype competitions unless the prize winning designers are appropriately rewarded and their copyrighted or patented features adequately protected.

Developer/Architect Competitions include design as one of the factors deserving consideration by a public agency in choosing a development scheme, often at a guaranteed price, for a particular parcel of land. Such competitions may be appropriate to the extent that the design aspects of the competition are fairly managed and judged, with all other aspects of selection kept independent.

Combinations of Types

In designing an architectural competition, various procedural combinations are possible. One sponsor will decide to hold an open one-stage idea competition while another may announce an invited two-stage competition for a real project. The approach a particular competition takes will be dictated by the sponsor's perception of what is likely to be most beneficial in a specific context.

Communications Between Sponsor and Designers

An architectural design competition establishes a highly structured dialogue between designers and sponsor. Through the employment of a professional adviser and an expert and objective jury, competitions add several dimensions to the conventional client/architect relationship by structuring communications:

- between the sponsor and a professional adviser,
- between the sponsor and the design community through the competition program,
- between the competitors and the professional adviser during a question-and-answer period.
- between the competitors and the jury examining their designs,
- between the sponsor and the winner commissioned to develop a design.

In an architectural competition, communication between the sponsor and competitors requires a high degree of discipline and a systematic presentation of information. The client/architect dialogue is not eliminated in competitions. On the contrary, it takes place in a structured and systematic way. As a result, when the sponsor and a competition winning architect begin their person-to-person exchange, it can take place at an advanced level.

The Competition Sponsor

Role of the Sponsor

The role of the sponsor is crucial to the success of a design competition. To make use of the reservoir of talent and energy within the architectural profession, a design competition requires the following components:

- a conscientious sponsor,
- an able professional adviser,
- a clear and professionally prepared program,
- a qualified jury.

Of these four key ingredients, only a conscientious sponsor has the opportunity and the obligation to assure the other three. No competition can take place until the sponsor provides the project, the organization and the financial resources to make it possible.

The sponsor's decisions will, to a large extent, determine the success or failure of the competition process. If it is to advance a particular building opportunity, a design competition must be governed by an impartial and carefully developed set of procedures. Poorly run competitions create difficulties that can undermine an entire project.

When a sponsor holds an architectural design competition, it obligates itself to running the competition in accordance with the procedures set forth in the competition program. Prize money, fees and honoraria must all be paid as promised. The contract for architectural services must be awarded in accordance with the competition rules. The sponsor is also responsible for the accuracy of the statements it makes about the competition project. In return, the sponsor should expect all other participants—professional adviser, jurors and competitors—to honor the rules and perform to the best of their abilities.

Cost

The amount of cost, time and effort involved in holding a design competition depends on the complexity of the architectural problem and the extent of participation which the sponsor wishes to encourage. A limited competition for a small library might be run in a few months with a modest amount of funding, while an open two-stage competition that attracts hundreds of entries for a complex subject, such as a major public building, might involve a yearlong timetable and a significant investment. The cost generated by any particular format should be analyzed, for the expenses involved in each will be different.

According to the International Union of Architects (UIA), open international architectural design competitions may range from .5 to 2 percent of the total cost of a project. Generally, the larger the project, the smaller will be the percentage of cost for holding a competition. A range of costs for architectural competitions may be gauged from the information below. The list indicates that competitions can be held for rather modest investments. All but one of the following competitions were held for less than 1 percent of the project budget:

- The Johns Manville (invited) Competition, Colorado (1972-73), cost its sponsors $186,000 or .7 percent of the construction budget of $24,600,000.
- The Rainbow Plaza (open) Competition for Niagara Falls, New York (1972), cost its sponsors $76,000, or 1.9 percent of the budget of $4,000,000.
- The Osaka United States Information Agency (invited) Competition (1967) cost its sponsors $11,000, or .22 percent of its budget of $5,000,000.
- The Birmingham-Jefferson Civic Center (open) Competition (1966-67) cost its sponsors $80,530, or .146 percent of its budget of $55,000,000.

- The Boston City Hall (open) Competition (1961-62) cost $60,000, or .20 percent of its budget of $30,000,000.

Source: Paul D. Spreiregen, **Design Competitions**. New York: McGraw-Hill, 1979, p.222.

The costs of a competition can be divided as follows:

- the fees and expenses of the professional adviser and jurors,
- the prize money awarded to the winning designers,
- managerial and administrative expenses, including advertising, printing, mailing, photography, handling, insurance, storage and meeting space rental, exhibit of entries and press information.

There is, of course, considerable variation in cost distribution. Limited competitions may have a higher percentage of funds devoted to prize money, while most open competitions will incur higher administrative expenses. In general, the amount of prize money should be sufficient to attract competitors. It should also be reflective of the amount of effort and expense required of those who enter. Competitions with extensive submission requirements should offer larger prizes. The specific level of each cash prize should be set by the sponsor after conferring with its professional adviser.

Benefits to the Sponsor

Although they require considerable planning, architectural design competitions offer a number of major benefits to their sponsors, including:

- a means of attaining an outstanding design by stimulating a range of exploration within the profession on the sponsor's behalf,
- sound and experienced judgment and advice from the jury evaluating the different submissions,
- the instructive discipline of having to prepare a comprehensive and realistic building program,
- public attention for the sponsor and project.

A competition places the sponsor's design problem before a large segment of the architectural profession. With many competitors submitting designs in a typical open competition, the sponsor benefits from a wide search for the best solution. Even in smaller competitions, the sponsor has the advantage of finding the most appropriate design.

A partial listing of competitions held in North America since 1958 indicates the profession's continuing interest in entering.

To commission an equivalent number of preliminary designs for any of these projects would obviously have been prohibitive.

In addition to stimulating a search for an innovative design, competitions elicit a great amount of public attention, not only for the winning architect, but also for the sponsoring organization. Contests of all kinds stimulate public interest, and architectural design competitions are no exception. The competition announcement, the deadline for receipt of submissions, the decision of a jury, the awarding of prize money and the opening of an exhibit all are of interest to more than the profession. Each of these events offers the sponsor an opportunity to inform the public about its goals and activities as well as its search for good design.

Limited Competitions:	Number of Design Entries
Elderly Housing, Trenton, New Jersey, 1975	27
Old Age Housing, Utica, New York, 1973	63
College of Architecture and Planning, Ball State University, Muncie, Indiana, 1967	40
Civic Center, Los Gatos, California, 1963	81
National Open Competitions:	
Rainbow Plaza, Niagara Falls, New York, 1972	292
Birmingham-Jefferson Civic Center, Birmingham, Alabama, 1967	277
City Hall, Boston, Massachusetts, 1962	256
Copley Square, Boston, Massachusetts, 1960	190
International Open Competitions:	
Pan American Health Organization, Washington, D.C., 1961	100
City Hall, Toronto, Ontario, 1958	525

Source: Paul D. Spreiregen, **Design Competitions**. New York: McGraw-Hill, 1979, pp. 10, 83-84.

The Professional Adviser

Role of the Professional Adviser

A competent professional adviser is a prerequisite of a successful competition. As a consultant to the sponsor, the professional adviser is the individual who is most directly responsible for the planning, organizing and running of a design competition. The adviser's duties are summarized as follows:

- plan, organize and manage a competition to attract a wide array of outstanding solutions for the sponsor's stated design problem;
- develop working documents for the conduct of a competition, including announcements, rules, instructions, program information and reports;
- assist in selecting a highly qualified jury capable of exercising sound judgment;
- conduct the competition so that all competitors receive fair and equitable treatment.

These major duties require that the professional adviser serve as an impartial intermediary between sponsor, jury and competitors. To ensure impartiality, the adviser must be an independent architect who is capable of approaching a competition objectively, with everyone's welfare in mind. The adviser must have no other interest in the project, either as a designer, investor, or as an employee of the sponsor.

Selecting a Professional Adviser

To ensure the proper running of a design competition, a sponsor must enlist the services of a competent professional adviser, delegate the necessary authority and provide whatever managerial support the adviser may need to plan and organize a successful competition. Since the quality of a competition can be traced directly to the capability of the professional adviser, the sponsor should select an independent architect experienced in professional practice who demonstrates the following:

- the respect of peers;
- previous experience as an adviser, juror or competitor, or knowledge of such experience;
- sympathy with the objectives of the competition tradition;
- a technical knowledge of the competition process;
- the ability to translate the sponsor's intentions into architectural competition procedures;
- experience with group or committee clients;
- a combination of tact and firmness;
- availability;
- the ability to write succinctly and clearly;
- a belief in the value of the specific competition project;
- managerial competence concerning operational logistics;
- sensitivity to the sponsor's goals, attitudes and circumstances, and the ability to respond to them constructively;
- personal integrity and fairness.

A sponsor can draw up a list of potential candidates by asking for suggestions from the local architectural community or from other architects with whom a relationship exists. Or, an announcement soliciting inquiries can be made in the professional press. For a design competition to be successful, the sponsor and professional adviser must establish a close rapport based on mutual respect and an openness of communication. Therefore, after a list of candidates is prepared, the sponsor may want to conduct interviews to assess the degree of personal, aesthetic and organizational compatibility developed with each candidate before making a selection.

Compensation

Professional advisers will expect to be compensated for their services. The amount of compensation will vary in accordance with the amount of work a competition requires. Both adviser and sponsor should realize, however, that planning and directing even a small competition require a considerable amount of time, for the demand on an adviser's services will be extensive, encompassing a competition from beginning to end. Whether the adviser receives a fixed fee, a monthly retainer or an hourly compensation is an issue for sponsor and adviser to negotiate. (Frequently, an adviser will receive hourly compensation for work performed in the office and a daily fee for work-related overnight travel.) An agreement concerning the reimbursement of expenses must also be reached.

Compensation for the professional adviser is usually one of the most important investments a sponsor makes. Good professional advice may mean the difference between a well-run competition and an embarrassing, even harmful experience.

Accepting the Position

In accepting the position of professional adviser, an architect assumes the task of conducting a design competition under conditions that are fair to both sponsor and competitors. This is no small responsibility. It requires that the adviser allocate a sufficient amount of time to the necessary tasks. Even relatively small competitions may entail an extensive assignment. Therefore, an architect should only accept the position of professional adviser with the understanding that it requires a significant professional commitment.

Planning the Process

In every competition, particularly in the planning stages, a number of critical decisions are made. A good professional adviser must, at those key moments, be in full possession of all the facts and convey them with accuracy and assurance.

The professional adviser should establish a detailed schedule for the competition to follow, with the responsibilities of both the sponsor and the professional adviser clearly delineated. During the course of a design competition, the professional adviser should be involved in the following tasks:

- determining the feasibility of holding a competition,
- examining the sponsor's preliminary program, site and budget to assure that they are sound,
- suggesting an appropriate competition format,
- planning the entire procedure,
- scheduling the order of events,
- preparing a budget for the competition,
- writing the procedural rules,
- preparing and testing the project program,
- writing the submission requirements,
- helping select the jury,
- securing from the jurors an endorsement of the competition program,
- recommending appropriate specialist consultants, if needed,
- planning for logistics and handling,
- writing a competition announcement,
- screening registrants for eligibility,
- mailing out the program to competitors,
- answering competitors' questions,
- checking designs for compliance with program requirements,
- displaying the entries for jurors,
- submitting a report to the jury,
- assisting the jury,
- reporting to the sponsor along with the jury,
- installing a public exhibition of submitted designs,
- assisting in public relations,
- assuring that proper payments are made,
- assembling an archive of the competition,
- returning or disposing of the entries,
- remaining available for post-competition tasks.

Given the great number of tasks the professional adviser is expected to perform, a single individual of authority within the sponsor's organization should be designated as the adviser's principal point of contact. Such an individual can be of vital assistance to both the sponsor and the professional adviser throughout a competition.

Sufficient Funding and Authority to Hold a Competition

One of the functions of the professional adviser is to assure that a sponsor has both the funds and, in the case of a public agency, the authority to hold a design competition. The professional adviser should be satisfied as to the fiscal responsibility of the sponsor. Both advisers and sponsors should realize that their reputations can be enhanced or discredited by the way in which a competition is managed.

Should a sponsor fail to honor the commitments it has made in holding a competition, it is likely that the professional adviser will be informed about the situation and bring it to the sponsor's attention. Should the situation remain uncorrected, the adviser may be prevented from carrying out the responsibilities of the position, and the conduct of the competition may thereby be endangered.

If a condition of the professional adviser/sponsor agreement is that the sponsor is obligated to honor all contractual and program agreements, then the professional adviser may exercise the recourse of terminating the agreement and disaffiliating from the competition should the sponsor fail to fulfill such agreements. The agreement between adviser and sponsor may also require the sponsor to notify the competitors, jurors and consultants to the competition that the professional adviser is no longer affiliated with the project. Such contractual arrangements should be considered by the sponsor early in the planning process as a tangible commitment to holding a properly conceived and managed design competition.

Developing a Competition Program

The success of an architectural competition depends largely on the care with which its program is formulated and written. It is the professional adviser's responsibility, therefore, to develop a program that is tailored to a specific design subject while considering the interests of both sponsor and competitors.

The project program for an architectural design competition should be clear, complete and as concisely stated as possible. It may be prepared by the professional adviser, or it may have been developed by consultants to the sponsor prior to the decision to hold a competition. If a building program already exists, the adviser will have to adapt it for use in the competition. The final version of the project program must be approved by the professional adviser.

Testing the Program

The professional adviser should examine the competition program to test whether its requirements can be met before sending it to the jurors for their approval. In addition to analyzing the envisioned procedures and checking the accuracy of all relevant project information, the professional adviser must ascertain that the submission requirements can be accommodated within the allotted presentation space. If adjustments in the competition program need to be made, they should be made at this point, before the program is printed and sent to potential competitors. Testing the program is one of the adviser's most important tasks, for if the program is badly conceived or even only slightly flawed, the rest of the competition will be adversely affected.

Recruiting Technical Specialists

For complex building programs, the sponsor or the professional adviser may need to recruit one or more technical specialists to serve as consultants to the competition. A cost estimator, soil specialist, energy expert, engineering consultant or other pertinent practitioner can help establish specific technical requirements in developing a realistic program for the competition. Later, the same consultants may be asked to check the competitor's submissions for compliance with the program.

Consultants will generally expect to be compensated for their services by the sponsor. They may be recruited on the advice and recommendation of the professional adviser, or appropriate candidates can be interviewed and selected. To preserve objectivity, the sponsor's employees should not serve as consultants to the competition.

Announcing the Competition

When all the planning for an open or limited competition is completed, an announcement should be made in the public and professional press. To ensure that potential competitors have a sufficient amount of time to respond, the professional adviser should determine the advance time required by various publications. (Subscribers to a monthly magazine may not actually receive an issue until four or five weeks after the deadline for copy.) The following items should be contained in all press releases announcing a competition:

- brief description of the building or project for which submissions are sought,
- name of the sponsor,
- type of competition,
- number of stages,
- eligibility requirements,
- amount of prize money,
- whether or not a commission will be awarded the winner,
- names of the jurors,
- name of the professional adviser,
- schedule for registering and for submitting entries,
- amount of registration fee, if any,
- address to write requesting a competition program and registration form.

To improve media coverage and public understanding, the professional adviser may insert a brief description of the history and functions of design competitions into a press release.

Registration Procedures

It is the professional adviser's responsibility to plan and implement an appropriate registration procedure. A brief registration form should be designed. This form should clearly state the kinds of information the competitor should supply. The following pieces of information are often requested:

- name, address and telephone number of competitor or team leader;
- state, number and date of architectural license, if required;
- names, addresses, telephone numbers (and registration numbers, if applicable) of all other members of the design team or association;

- signature of the competitor or team leader stating an intention to comply with the competition rules and all other terms of the program.

The registration form may be printed in triplicate, with one copy going to the professional adviser prior to the registration deadline, one to be enclosed in a sealed envelope that is attached to the competitor's entry and a third to be kept by the competitor as a file copy.

The professional adviser should prepare a list of all registered competitors. In addition to being an important part of the archival record of a design competition, the list can be used for both logistical and informational purposes. For example, in an open competition, the sponsor may want to announce how many architects or design teams are competing and how many states they represent. The list can also help a professional adviser estimate the size of the space that will be needed for displaying all the entries to the jury and for exhibiting the submissions to the general public. Based on past experience, 60 percent is a rough guide for estimating how many registered competitors will actually submit entries.

A small registration fee can be used to separate the serious competitors from those who are merely curious. Costly fees, on the other hand, are likely to discourage many conscientious designers from entering. Since the sponsor benefits greatly from the breadth of architectural work an open or limited competition generates, it has traditionally been the sponsor's obligation to pay the costs incurred in holding a competition. Indeed, many potential competitors would regard it as unfair to be put in a position of subsidizing a competition in addition to absorbing the expense involved in preparing a submission. As a result, registration fees will be more readily accepted if they are applied to the costs of a post-competition exhibition or publication of the submitted designs instead of being used to defray a significant amount of costs incurred in sponsoring the competition itself.

Questions and Answers

Although the competition program should attempt to be sufficiently complete so that no further information is necessary, provision must be made for answering the questions of competitors. Following the close of registration and the mailing of program materials, the professional adviser should schedule a time during which individual registrants may submit questions about the competition program. The deadline for questions should occur prior to the halfway point of the design period. As soon after the deadline for submitting questions as possible, the professional adviser should mail out answers to all registered competitors and to members of the jury—without identifying the competitors who asked the questions.

The objective of the question-and-answer exercise is to allow clarification of program requirements while providing all competitors with as much accurate information as possible. Hence, the professional adviser should be sensitive to the fact that some answers may logically suggest additional questions. These should also be answered. Care should be taken so that the adviser's responses do not suggest a particular design solution.

In an invited competition, the sponsor reimburses travel expenses so that the competitors, as a group, can confer with the sponsor and visit the site. Copies of the program are sent to the competitors in advance so they can publicly ask questions of both the sponsor and the professional adviser. The objective of such a procedure is to ensure that the program's information and instructions are complete and workable.

Assuring Anonymity

To preserve the anonymity of entrants in a design competition, a professional adviser should require competitors to submit their designs in an appropriate and convenient manner. "Double wrapping" is the most protective system. The outer wrapping carries the return address along with the usual postal markings. It should be removed by an assistant to the professional adviser. It is imperative that neither the adviser nor anyone else be permitted to open the sealed envelopes on the back of the entrants' submissions, since these envelopes contain the names and addresses of the competing designers. To identify the entries, the professional adviser may assign each a number, often in accordance with the order in which it arrived. The adviser or an assistant will affix this number on a front corner of each drawing or model and on the sealed envelope, which can then be removed for storage in a secure file. Once the entries are numbered, a photographic record of each submission can be made. The rear-affixed envelopes may be opened only after the winning designs are selected. Until that time, the adviser, the adviser's assistants and, most importantly, the members of the jury will have to refer to each submission solely on the basis of its number.

Exhibit Handling

The professional adviser should assure that an appropriate exhibit space is found. This space should be comfortable, well-lit, private, secure and large enough to accommodate the expected number of submissions. In addition, the adviser should recruit a sufficient number of assistants to set up the display of entries inside the exhibit space in the brief interval between the submission deadline and the arrival of the jury. The adviser should supervise the arrangement of drawings and models to ensure that all competitors' entries can be fairly and properly seen. Several logistical problems must be faced. One is the sheer physical task involved in exhibiting the entries. Time is another problem. Available manpower is still another. The entire procedure requires prior planning.

Checking for Compliance

One of the principal responsibilities of the professional adviser is to examine all designs to ascertain if they satisfy the competition program requirements. This has to be done prior to the jurors' viewing of the designs.

A compliance check regarding submission requirements may be performed by a small team of assistants—often consisting of students or apprentice architects—using a checklist prepared by the professional adviser. The adviser must oversee the team's activity and carefully examine every submission about which any question is raised. The adviser should personally review the entire pool of entries as an added precaution. Specific submission requirements may include:

— the size, scale and number of drawings;
— maximum dimensions, scale accuracy, area and volume computation;
— appropriate use of media (photographs, models, black and white line drawings, limited color or full color techniques).

Complex programs for major projects may require that such technical specialists as cost estimators and energy efficiency experts be retained by the sponsor to check for compliance with specific budgetary, energy use or other programmatic requirements.

When a mandatory program requirement is not satisfied, the professional adviser should mark the design accordingly, noting the shortcoming. The deviant entries are thereby disqualified and excluded from presentation to the jury.

Occasionally, a competitor will exceed the design exhibition requirements by submitting a model or extra drawings along with the panels requested. Such extra items should be set aside and not shown to the jury, for they may give their author an unfair advantage over competitors who have followed the program's instructions.

In-Person Presentations

Invited competitions and the second stage of two-stage competitions may require finalists to present their designs in person to the jury. This gives competitors an opportunity to elaborate on their visual conception and explain the rationale for their design. It also gives jury members an opportunity to ask questions of the authors of each design. Each competitor's presentation may be audiotaped or videotaped for detailed reference by the jury. Such tapes are also a valuable part of the competition record.

The professional adviser's function on such occasions is to ensure that each competitor has ample time and an equal opportunity to use the media available for presentation. The competitors' expenses should be paid by the sponsor.

Jury Schedule and Procedure

Before making contact with potential jurors, a professional adviser should establish a timetable for running the competition. Time, resources and accommodations must be arranged so the jury can:

— visit the project site,
— see all the entries in a fair and equitable way,
— have a secluded space in which to deliberate,
— write a report explaining its choices.

Inviting Jurors

Once the decision is made to invite an individual to be a member of the jury, it is the professional adviser's task to:

— make the initial contact,
— describe the purpose and scope of the competition,
— indicate when and for how long jury service will be required,
— solicit whether or not the individual is interested in serving as a juror,
— negotiate an appropriate fee for the service.

If interest is demonstrated, the adviser should send each potential juror a copy of the competition program in draft form. The program will describe the details of the project and of the competition process to be undertaken. Either a contract or a detailed letter should be sent to each potential juror to establish a fee and identify the juror's responsibilities. The professional adviser should answer the jurors' questions and ascertain that they understand all the clauses of the program before signing a contract or letter of agreement to serve. After receiving a juror's written acceptance, the adviser should notify the sponsor and send an official acknowledgment to the juror.

Report to the Jury

Prior to the jurors' first viewing of the entries, the professional adviser should make an up-to-date report to the jury on the conduct of the competition. In this report, the adviser should explain the reasons why any entries have been disqualified from the competition, whether because of lateness or improper execution of the competition program, including its budget limitations. If there is any doubt in the adviser's mind whether or not an entry should be disqualified, the professional adviser may solicit the opinion or decision of the jury.

Assisting the Jury

The professional adviser's relationship to members of a jury is that of an aide to a committee. The adviser's function is to facilitate the process, to make certain that proper procedures are followed and to offer assistance when needed. The adviser should make certain that a sufficient number of assistants are available to respond to jury requests that the exhibit of entries be rearranged. Throughout the judging process, the adviser should be positioned nearby to answer any questions the jury may have. After the jury has made its decision(s), the adviser should provide the jury with stenographic and secretarial assistance to facilitate its writing of the jury report.

It is the adviser's responsibility to produce a brief record of the jury's deliberations and decisions. This record should contain all relevant statistics pertaining to the number of submissions reviewed at different stages by the jury. Such a record of the jury's proceedings is a continuation of the professional adviser's report. Together with the jury report, it constitutes an important part of the official competition record.

Notifying the Winners and Other Competitors

The winner and runners-up should be notified as quickly as possible after the presentation of the jury report by either the professional adviser or the sponsor. Where time, budget and logistics permit, the professional adviser should arrange for a meeting of the jury and the winning designer. Such a meeting permits both designer and jurors to ask each other a number of questions. The designer, in particular, may benefit from hearing the jury's views of specific aspects of the winning scheme. Of course, such meetings are not always possible. Organizations that have to go to a legislative body or a board of directors for final approval of the jury's decision may not be able to notify a winning architect until after the jury has departed.

During the period between the jury's selection and the eventual public announcement of the competition results, the prize-winning architects should be asked to regard their notification as confidential information.

All competitors, including those whose designs fail to win any recognition, should receive a copy of the jury report. The report should be mailed immediately after the public announcement of the competition results.

In a two-stage competition, all competitors should be sent a list of the finalists who will continue to compete in the second stage. Those designers receiving honorable mentions should also be identified.

Notifying the Press

A press conference will frequently be called to make a public announcement of a competition's results. The professional adviser should attend any such conference, participate in the writing of all press releases and assist in the selection of illustrations to be distributed at the conference or mailed to other publications. (The adviser should try to select illustrations such as black line drawings and high contrast photos that will be readily reproducible, particularly on newsprint.) The adviser's involvement in these tasks will help to ensure the accuracy of all publicly disseminated information concerning:

— the date the competition was first publicly announced,
— the number of queries received,
— the number of designers who registered,
— the number of submissions received,
— a statistical profile of competitor's places of residence (especially relevant for national and international events),
— the names of competitors and firms whose submissions are to receive recognition,
— the names of the jurors,
— a description of the jury's deliberative process,
— the report of the jury in which reasons for the selection of the winner are presented.

To preserve the integrity of the competition process, an announcement of stage one results in a two-stage competition should not include either the preliminary report of the jury or illustrations of any competitor's work.

Arranging for the Payment of Jurors, Consultants and Winners

The professional adviser/sponsor agreement may require the adviser to act as an agent of the sponsor in approving expense reimbursements, prize money and fees for agreed-upon services. If obligated, the professional adviser should review all invoices submitted for approval prior to sending them to the sponsor, who will thereby be obligated to render payment.

Exhibitions and Symposia

When provision has been made in the competition program, the professional adviser may set up a public exhibition of the drawings and models entered by competitors. For certain competitions, a traveling exhibit may also be established with a suitable catalogue or other publication. The scope of the exhibition will depend on the sponsor's intentions, the amount of public interest or concern generated by the competition project and the amount of space available. Exhibitions provide a fine opportunity to stimulate public consideration of architectural design. They also help to stimulate the competitive spirit of participants. Knowing that their work will be displayed along with that of their peers can be a stimulus to competitors. For all these reasons, as full a presentation as possible of the submissions should be attempted.

The sponsor may also decide to hold a symposium on the competition or on the submitted designs to further disseminate information and foster constructive discussion. If a symposium is held, the professional adviser should play a significant role.

Returning the Models and Drawings

Shortly after the awards are announced (or a post-competition exhibition is held), the professional adviser should arrange for the return of all of the design exhibits for which competitors have made prior arrangements. The competition program may announce that competitors who desire their entries returned should enclose a check inside the sealed envelope on the back of their entry to cover the sponsor's return shipping and handling expenses. (The amount of the check should be established by the professional adviser.) Another method is for competitors to retrieve their own submissions by or on a date specified in the program.

In a two-stage competition, submissions should not be returned until after the final judging, even if no post-competition exhibition is intended.

Establishing an Archival Record

As the drawings and models are repacked and shipped back to their authors, the professional adviser should assemble the competition's offical documents, photographs, slides, audiotapes, film, videotapes, letters and public announcements in one place. Depending on the sponsor's interests and commitments, such archival material can form the basis for a future publication once the project is completed. Even if a publication is not envisioned, a competition archive is of value to:

— members of the design professions,
— scholars interested in the history of design competitions,
— sponsors and professional advisers of future competitions,
— local history societies interested in compiling a record of a city's or state's architecture and design,
— proprietors of the eventually built structure who want to make its users aware of how the project came about, either at its opening or at subsequent anniversaries.

Professional advisers should send a copy of the competition program, questions and answers, jury report, illustrations of the prize-winning designs and, when available, slides of all the entries to:

Competitions Archive
American Institute of Architects
1735 New York Avenue, N.W.
Washington, D.C. 20006

If not retained by the sponsor, original documents may be donated to a local archive for preservation. If no local archive exists, arrangements may be made for shipping the original documents to a major repository such as:

— American Institute of Architects,
— Avery Library, Columbia University,
— University of California, Berkeley
— Chicago Art Institute,
— Cornell University.

The Competition Jury

The Function of a Jury

In an architectural competition, the function of a jury is to examine all design submissions with respect to the sponsor's program of requirements.

Normally, upon deciding to construct a new building, a client will personally select an architect. In an architectural competition, however, the client-sponsor enlists the help of an expert jury in evaluating the designs that are submitted for consideration. Thus, in a typical competition, it is the jury's responsibility to examine and evaluate the competitor's designs and to recommend which should be selected.

The use of a qualified jury adds expert judgment to the competition selection process. It also furnishes the sponsor with a level of architectural advice that is not available in commissioned work.

If a sponsor feels strongly that an architectural problem requires a design exploration by many professionals, then the selection of the best solution should be made by experts in the appropriate field. Architects are willing to enter competitions to the extent that they can be confident in the ability of juries to judge their work fairly and fully. The quality of the jurors thus helps determine the quantity and quality of submitted designs.

Commitment to the Competition Process

The task of judging numerous architectural designs is extremely demanding. A great amount of work and responsibility is compressed into the two to five days in which juries customarily meet. Architects and others who agree to become jurors must have a commitment to the competitions process and an interest in the subject that calls forth a particular competitive effort.

Architects who serve on a competition jury should have no vested interest in the sponsor's project or in any of the competing firms. Only as independent professionals can their objectivity be assured.

Obligations

Jurors should regard the competition program as a contractual document binding equally on them as it is on competitors and sponsor. For the jurors as well as the competitors, the competition program and the professional adviser's answers to competitors' questions define the design problem that the competition is expected to answer. Thus, it is a jury's obligation to abide by the program in judging all submitted work. It is essential, therefore, that before agreeing to serve, prospective jurors devote an appropriate amount of time to a careful examination of the draft version of a competition program, paying special attention to:

- the objectives of the program,
- the composition of the jury,
- the dates established for judging,
- the tasks and authority assigned to the jury.

Only after being satisfied regarding all aspects of a competition program as well as the sponsor's commitment to carrying it out, should a prospective juror sign a letter of acceptance and send it to the professional adviser. And only then should his or her name be publicly announced as a member of the jury. When a competition program imposes a mandatory budget or energy use limitation, jurors should give additional consideration before agreeing to serve. They should satisfy themselves that the sponsor is able to obtain reliable information concerning the cost or energy performance of the competitors' designs. In addition to checking for compliance with the project program, such professional consultants may also be able to make a valuable contribution to the evaluation of entries.

By accepting the position, jurors agree to abide by the rules of a competition. In effect, they pledge they will:

— have no contact with any of the competitors,
— devote themselves fully to the task of evaluating entries on the days established for judging,
— respect and maintain the anonymity of the submissions, when anonymity is a part of the requirements,
— abide by the requirements of the competition program in evaluating the competitors' entries,
— refrain from interjecting considerations in addition to or contrary to those specifically described in the program,
— make every effort to arrive at a consensus regarding the selection of a winner,
— submit a report explaining their decision(s).

Most jurors expect to be compensated for their time. Their travel, lodging, meals and expenses should also be paid by the sponsor.

Methods of Jury Selection

Various methods of jury selection have been used in architectural competitions:

— sponsor selection,
— delegation of selection process to a professional adviser,
— delegation to a committee for recommendations or outright selection,
— selection by a recognized professional body of architects after consultation with the sponsor,
— competitors' selection (used only rarely), in which those who are invited to compete cast votes for architects whose names appear on a list of potential jurors established by either the sponsor or a professional organization,
— a combination approach in which the sponsor or professional adviser names a juror, an architectural society names another, the invited competitors may vote for one, and the sponsor and the professional society together might name two more.

Methods of jury selection vary according to the kinds of architectural competitions that are held. International competitions that receive the approval of the International Union of Architects (UIA) take the following approach. The UIA appoints one of the jurors, but the rest are appointed by the sponsor or its professional adviser. The UIA guidelines specify that there be an odd rather than an even number of jurors, that the number not exceed seven, that they represent different nationalities and that the number of jurors from the host country must always be a minority.

The American Institute of Architects suggests that a design competition jury be appointed by the sponsor in consultation with a professional adviser. The AIA does not normally select competition jurors.

However a jury is selected, the goal is to assemble a small group of highly qualified people capable of exercising sound judgment.

Composition of the Jury

Design competition juries should be small enough so members can readily exchange views, individually and collectively, formally and informally. A minimum of three jurors permits an opportunity for different points of view to be examined, while a maximum of seven preserves informality. More than that number diminishes the jurors' opportunities to communicate with one another. Competition juries may be composed of the following types of individuals:

— architects,
— architectural historians and scholars,
— other design professionals,
— consultants from relevant fields,
— representatives of the sponsor or eventual users.

Experience indicates that a majority of jury members in an architectural competition should be architectural professionals with substantial knowledge and skill. This practice helps to ensure that informed judgments are made regarding the merits of the competitors' proposals. Architects are in the best position of any discipline to understand the drawings and visualize the finished product indicated in the graphic material submitted by other architects. In addition, experienced architect-jurors can quickly determine if a particular design is readily buildable, technically and economically.

The presence of fully qualified architects, often supplemented by respected scholars or historians, assures entrants that the work they submit will be fully understood, properly interpreted, and fairly and competently judged. In this way, the quality of the jury will have a constructive influence on the number of entries and the range of design solutions submitted. Qualified architect-jurors are also an assurance to sponsors that the most promising design solution submitted to a competition will be chosen.

Architectural professionals are not the only people who can exercise useful judgments on a competition jury. Where the skills of such design disciplines as city planning, urban design, landscape architecture, structural engineering or interior design are required, individuals from these disciplines should be on the jury.

Nondesign consultants may also serve, where appropriate. Competitions with specialized purposes such as the use of certain building materials or the exploration of particular themes such as energy conservation should have specialized juries. Similarly, different types of buildings such as hospitals, schools, churches, libraries, theatres and museums require persons familiar with the particular requirements of such structures. Librarians, theatre directors, curators, school principals and hospital administrators may all make excellent jurors. Their participation helps to ensure that specific needs or issues will be considered.

A jury need not be solely made up of architects and other professional consultants. Jury members who are representatives of the competition sponsor may help ensure that all building needs are properly met. In competitions where a public agency is the sponsor, one or more jurors may be chosen to represent the agency's or even the public's interest in a project. Neighborhood residents, building industry representatives, eventual users of the new building or structure, social scientists, patrons of the arts and public officials may serve this function. Design professionals frequently find that such jurors have a more detailed knowledge of local conditions and culture than many architects can expect to possess.

The following variables should be considered in determining the architect/nonarchitect ratio on a jury:

- the objective of the sponsor,
- the complexity of relationships and functions within the structure to be built,
- the complexity of relationships with the project's immediate environment,
- the degree of completeness or explicitness requested in the submitted drawings or model,
- the design knowledge of the sponsor or users.

A jury's composition should vary in accordance with the subject of a competition. The major advantage of a jury that includes qualified nonarchitects is the discipline that articulate discussion encompassing a variety of useful viewpoints can stimulate. Such discussions may enrich the selection process by clarifying a jury's search for the most appropriate design in a particular context.

The Architect-Jurors

Unless special regional or local design considerations suggest otherwise, architect-jurors should not be local residents. Rather, they should demonstrate the perspective and objectivity that distance provides. The appointment of a jury composed of respected out-of-town architects serves as an important assurance to competitors that a competition has been well organized, and that the sponsor has sufficient confidence in the process to entrust the evaluation of entries to qualified professionals. The architects who serve on a jury should:

- enjoy a high level of respect among fellow architects,
- have created a body of design work that is respected by a wide range of their fellow professionals,
- be supportive of the sponsor's objectives,
- have experience with and commitment to the competition system.

A jury whose architect-members hold a breadth and depth of view can assure competitors that a fair and equitable search for the best solution, regardless of approach, will be made. In this way, a balanced jury is likely to increase the number of conscientious solutions a competition receives.

The Jury Chairperson

Competition sponsors may either appoint a jury chairperson or leave the selection to the jurors themselves. In either case, the primary function of the chairperson is to ensure that the jury's deliberations proceed in a fair and orderly way. After a winner is selected, the chairperson also supervises the writing of the jury report.

In some situations, sponsors may decide to appoint a nonvoting chairperson to a competition jury. Freed from the task of determining and arguing the merits of personal preferences, an appointed, nonvoting chairperson may be in a better position to manage the jury's group process so that all points of view concerning the merits of different submissions may be heard. Such a nonvoting chairperson may be selected from the staff of the sponsoring organization.

Whatever type of chairperson is employed, members of the jury should understand and agree to its use.

An Undisturbed Setting

A competition jury should be undisturbed during its deliberations. No one other than the jury, the professional adviser, and the adviser's official assistants should be admitted to the room. In certain government-sponsored competitions, "sunshine" laws may be interpreted as requiring that adequate space be set aside so that interested members of the public may observe the jury's proceedings. In such instances, competition officials must ensure that the jury's discussions are not interrupted. The dialogue that takes place should be between members of the jury, not between jurors and the public. Most observers of the competition process would argue, however, that *design juries must hold their deliberations in private.* To expose a jury's process to public view may make sound collective judgment more difficult, if not impossible, to achieve.

Pre-Evaluation Proceedings

Prior to the evaluation of entries, a jury should:

- reaffirm that it is in agreement with the competition program,

- select a chairperson (if one has not been designated by the sponsor) to preside over its deliberations and supervise the preparation of a final report,
- visit the site of real project competitions,
- be willing to devote sufficient time, in accordance with the number of entries and complexity of the program, to perform its evaluation responsibilities,
- be given adequate assistance to permit the rearrangement of exhibits as needed.

The jury should be given a report from the professional adviser regarding the conduct of the competition. This report should include the professional adviser's rationale for eliminating any competitor's entry.

The Evaluation Process

A jury's selection of award winners is made by a progressive elimination of entries. At some points elimination decisions may be made by voice vote, at others by written ballot. Each jury should determine its own voting procedures. More important than how votes are tallied, however, is the exchange of views that takes place during a jury's deliberations, for the decisions a jury makes grow out of the dialogue that members have with one another.

In the early stages, a jury will find it useful to focus on the elimination of those schemes that are clearly not of sufficient quality to merit further consideration. After a complete review of all designs, agreement concerning the elimination of inferior submissions is fairly easily obtained. The closer the jury comes to determining potential winners, however, the more demanding the process becomes.

Before examining those entries that deserve serious consideration, a jury may want to reconsider the criteria it is applying. Some criteria for judging the quality of entries will be apparent in the competition program, but additional, mutually discerned criteria may be developed during the course of a jury's deliberations. On occasion, a jury's discussion of the value of different approaches may suggest the re-examination of a previously discarded scheme that had originally appeared inappropriate.

When it reduces the number of entries to those requiring serious consideration, a jury is well advised to enter into a structured discussion of the merits or shortcomings of each remaining design.

After the field is reduced to three or four potential prize winners, a detailed examination of these remaining designs should be made, the strengths and weaknesses carefully compared, and the workability of the intended structures confirmed. When all issues have been thoroughly discussed, the jury should select the first-prize winner and rank the remaining designs.

In the unlikely event a jury decides that none of the submissions meet the expectations of the sponsor, it may be empowered by the competition program to recommend that no first prize be awarded. If the competition rules do not stipulate how prize money will be assigned in such an event, the professional adviser and the jury may make a recommendation to the sponsor.

In two-stage competitions, a jury will convene on two separate occasions to evaluate submissions. At the end of the first stage, the jury's mandate is to choose those schemes that deserve further development. Its task is to select a group of finalists who will be commissioned by the sponsor to develop their original concepts.

Toward this end, a jury will submit a preliminary report to the sponsor. In addition to identifying the finalists, this preliminary report should describe the types of solutions submitted by competitors and explain why the finalists' entries were selected. The jury may also express any concern it has concerning specific features of the finalists' designs that it feels require further examination or improvement. The jury's comments about specific submissions may be forwarded to the finalists as a guide for developing their designs in the second stage. No competitor, however, should be permitted to see the jury's comments on another competitor's design.

The Jury Report

After it has made its final selection, a jury must write a report that explains the rationale for its decision. Because of their importance, jury reports require a sufficient amount of time and attention to produce. The report of a jury has three basic functions:

1. It is written evidence to competitors, sponsor and public alike that the evaluation and selection proceedings were executed with fairness and care, thus conferring both a procedural and aesthetic legitimacy on the prize-winning designs.
2. It is an educational document that describes criteria for evaluating architectural design, thus stimulating thought for competitors, design professionals, the structure's users and the public.
3. It is an historic document that lists the winners and explains why specific designs were chosen, thus elucidating the values attendant to the creation of a structure at a particular time and place.

The report of the jury is presented to the professional adviser for delivery to the sponsor. With the announcement of the competition results, the report becomes a public document.

A jury report should be accurate, comprehensive, and succinct. Each juror should have ample opportunity to offer comments and suggestions, but the report as a whole should speak with one voice. The report should:

— list the award-winning designs and honorable mentions,

— make an appropriate statement of the reasons for the jury's decision in regard to each.

The report may also document the dates of the jury's proceedings, its acceptance of the professional adviser's report, its agreement with the aims of the competition program, its choice of a chairperson, and its site inspection, if one is made. The jury may also wish to comment on the general level of the submissions. To facilitate the writing of its report, the jury should be provided with stenographic and secretarial assistance.

Given clearly expressed objectives and the opportunity to engage in an extensive and fair deliberative process, a conscientious jury will, in all probability, eventually agree upon one best design. Indeed, most competition winners are unanimously selected.

Although a juror's right to disagree with the majority selection must always be preserved, the decision to file a minority report entails a serious responsibility. While a well-articulated minority opinion can focus additional attention on a design that is not declared the winner, it can also undermine the authority of a jury and put the eventual construction of the winning scheme in doubt, especially for a sponsor who must gain approval from another body before the structure can be built.

Meeting With the Sponsor

In addition to producing a report, the jury should meet with the competition sponsor to announce its selection. This meeting offers jurors an opportunity to discuss the major entries with the sponsor, answer the sponsor's questions, and present in-person assessments of the relative strengths of different designs. The dialogue between sponsor and jurors should continue until the sponsor is satisfied that all relevant information has been exchanged. Such a meeting also provides the jury of a project competition an opportunity to voice any special concerns or formulate any recommendations it may have concerning the winner's design. With architects who have developed untested concepts or who are insufficiently experienced, or whose firm may need local technical support, the jury may recommend that a second architect or firm assist the winner. A record of the sponsor's questions and the jury's answers may be made and added to the official record of the competition as an extension of the jury report.

The Conscientious Competitor

A Search for the Best

Design competitions are a search for the best. The architect who is awarded first prize in a design competition not only may win a commission for a project, but public and professional recognition as well. While the principal purpose of a design competition is to find the optimal solution to a particular building opportunity, the competition system helps both the profession and society discern ideas and talent. Whether local, national or international in scope, competition victories help to establish an architect's reputation. Alvar Aalto, Eero Saarinen, Arthur Erickson and Jorn Utzon are among those architects whose careers were launched by competitions. American designers such as Kallmann, McKinnell & Wood; Mitchell/Giurgola; Venturi, Rauch, and Scott Brown; Geddes, Brecher, Qualls & Cunningham have all advanced themselves through their competitions work.

When properly run, design competitions elevate the level of public expectation regarding architectural design. Such heightened awareness helps the profession offer its best, thus stimulating an improvement in architectural design, generally. All architects who participate in competitions contribute to this purpose, regardless of whether or not they win.

Who Enters and Why

An examination of past competitions reveals that they are entered by architects of all ages and design approaches.

Open competitions have traditionally attracted designers who see a chance to test and extend their talent. In winning a competition and the commission that may go along with it, an architect can demonstrate a superiority of design ability. Meanwhile, architects and firms that do not win can add their competition designs to a record of work, to show prospective clients different aspects of their thinking. Even an experienced firm may use a competition entry in this way to increase its reputation or extend its record of achievement.

Entering a competition can be a welcome stimulus to an architect or firm. It allows competitors an opportunity to exercise their imaginations fully by increasing their opportunities to grapple with significant design problems. For architects who may feel constrained by the exigencies of everyday practice, competitions are an opportunity to work towards their own highest standards.

Invited competitions are used to recruit the participation and challenge the skills of designers with extensive reputations. Many established architects and firms enter open as well as invited competitions, however, because they find the challenge of competing with some of the best architects in the nation or world a stimulant to their own work.

Since the odds of winning are always slim, architects enter competitions with the hope that a specific design approach may prove ideal for a particular building opportunity. In the process, their convictions about design are tested, for competitions typically offer the kind of challenge few opportunities in professional practice afford.

The Cost of Entering

The greatest cost to competitors is not so much a monetary one as it is an expenditure of time and energy. The commitment of both can be considerable.

The first cost to the competitor is the registration fee often required of those desiring to enter. The major purpose of such a fee is to separate the serious competitors from those who are merely curious. A nominal registration fee is sufficient for the task.

Materials and printing costs will vary according to the requirements of a particular competition. Some competitions request only a modest number of drawings while invited competitions and the second stage of two-stage open competitions usually require an extensive number of detailed drawings plus the construction of a scale model. In such competitions, the competing architects are compensated for their exacting and time-consuming work. Nevertheless, potential competitors should carefully read the competition program before deciding to enter. Estimates can then be made of the amount of time and cost the development of a competition submission will demand.

Forming Associations

Architects may form associations with other individuals for the purpose of entering a competition. In general, associations are formed between four different sets of people:

1. architects with other architects or allied professionals with whom they like to work,
2. architects with other architects who meet the eligibility requirements of limited competitions,
3. students or architectural designers with licensed architects in order to satisfy eligibility requirements,
4. architects with other technical professionals whose special skills may complement the development of a submitted scheme.

The division of labor is established by the individuals forming the association. It may involve a relatively close collaboration, or it may entail one designer or firm being responsible for the preliminary design with the associates being responsible for most subsequent work. Whatever the relationship, the individuals or firms involved should establish a clear and workable agreement at the start of their association.

Establishing a Production Schedule

Once a decision has been made to enter a competition, the designer should begin to plan how long it will take to develop an entry. Starting with the submission deadline and working backwards, the competitor should establish deadlines for completing the following tasks:

— *final preparation and send-off:* double wrapping to preserve anonymity, retention of receipts to prove submission date;
— *presentation:* selection and use of technique, media, composition and graphics to make sure that the scheme speaks for itself, because in a competition the jurors rely primarily on the graphic language of the exhibits in assessing the relative value of different schemes;
— *formalization and development:* developing the concept according to the required scale, type and number of exhibits;
— *conceptualization:* progressing through conceptual diagrams and studies to the selection of a scheme;
— *analysis:* becoming familiar with the competition program; performing a site analysis; doing historical, technical or building type research and submitting questions to the professional adviser.

Studying the Program

The competition program demands careful study on the part of the competitors. All clauses, but particularly the mandatory requirements, must be read with great care. If the mandatory requirements are not met, the entry an architect submits may be eliminated from the competition by the professional adviser and never reach the jury. The competitor's submission should match what is requested in order to have a chance of winning.

Evaluating the Jury

Competitors should feel a sense of trust about the jury that will be evaluating their work. With a balanced and unbiased jury, all competitors can be confident their design solutions will be seriously considered. As a general rule, competitors should be wary of architect-jurors who are principally known for a particular approach to design, however appealing it may seem at the moment.

Questions for the Professional Adviser

It is a common practice of architectural competitions to establish a deadline for receiving questions concerning the program requirements. Although programs should be written with care, architects who study them thoroughly invariably find questions they need to have answered, if only to test whether or not a particular approach is permissible or contradictory to the stated requirements. All such questions should be submitted to the professional adviser.

Experience in Great Britain indicates that fewer than 10 percent of all registered competitors ask questions. Nevertheless, in a sample population of architects winning first, second and third prizes, 50 percent acknowledged that they had submitted questions.* Obviously, this does not mean that asking the adviser a question will necessarily improve one's chance of winning. Rather, it seems to indicate that those who place in competitions have studied the competition program rigorously as soon as possible after receiving it, and may even have considered alternative preliminary schemes, thus giving themselves more time to conceptualize, develop and present their designs.

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* Judith Strong, **Participating in Architectural Competitions: A Guide for Competitors, Promoters and Assessors.** London: Architectural Press, 1976, p. 20.

More Than One Entry

On occasion, more than one of the prize-winning designs in a competition have been submitted by the same individual or team. This is especially true in idea competitions, which generally do not require the same kind of detailed submission as other types of competitions. Even in a competition for a real project, however, a design team may find that it has two interesting solutions. If the competitors' energy and manpower and the competition rules permit, they may decide to submit both concepts. Generally, competitions specify that only one scheme may be permitted each registrant. In such situations, different members of a design team may each register so that more than one design may be submitted. If the competitor finds the rules unclear regarding the possibility of multiple submissions, clarification may be requested from the professional adviser.

Copyrights and Patents

The competition rules governing the ownership of submissions should be reviewed. In most competitions, the sponsor retains possession of all prize-winning designs. If a reproduction is submitted, the competitor should keep the original. If the competition rules require the submission of original drawings, the competitor should either have reproductions made or take a complete series of slides to document the work.

Unless the rules specifically state otherwise, the competitor retains the copyright to an entry. The rules may grant the sponsor certain of the rights comprised in the copyright, on an exclusive or non-exclusive basis. The entrants should be aware of the uses that may be made of their submissions. To ensure copyright protection, the entrant should affix a copyright notice to each drawing, photograph or model submitted. Copyright notice consists of the copyright mark, the name of the author and the date of creation. No paperwork is necessary. To preserve the right to bring an action for infringement of a copyright, the entrant must register the work with the Copyright Office. Forms may be obtained by writing:

Register of Copyrights
Copyright Office
Library of Congress
Washington, D.C. 20559

The registration should state that the competitor is the author of "original artwork," "architectural drawings" or "technical drawings" since applications using the word "design" will be rejected by the Copyright Office on the grounds that a "design" is a useful article and therefore cannot be copyrighted.

Competitors may also wish to patent special features on their entries. While copyrights protect visual expressions of designs, *design patents* protect new and unique ornamental designs and *utility patents* protect new and unique architectural configurations or systems of organization within a design. Registering a patent may be especially relevant in idea competitions. Applications can be made to:

U.S. Patent & Trademark Office
Washington, D.C. 20231

During the life of a patent, the competitor-architect's right to prevent others from making, using or selling the patented feature without permission is protected.

Submission and Return of Entries

Virtually all open and limited competitions and some invited competitions preserve the anonymity of competitors. Where anonymity is an issue, the competitors will usually be instructed to double wrap their entries and attach a sealed envelope containing identifying data on the back of one of the panels as the sole means of identification. To avoid potential disqualification, all of these instructions should be followed scrupulously.

If the entry is to be shipped rather than personally delivered, a receipt should be kept as a record. A receipt stating the date and hour of delivery may also be requested. Such receipts may be the only evidence a competitor possesses that an entry has been delivered on time.

After the results of a competition are announced, those entries that have not been awarded prizes are frequently destroyed. Therefore, competitors who seek to have their entries returned should make prior arrangements with the professional adviser.

The Competition Program

Developing a Competition Program

The competition program is the primary vehicle for communicating the sponsor's intentions to all potential competitors. It ensures that every competitor receives exactly the same information on which to base ideas for a design solution. A competition program should contain the following three basic elements:

1. *the procedural rules*, which all participants must obey;
2. *the project program*, including the sponsor's objectives as well as information about site, space requirements and relationships and all other technical details;
3. *the submission requirements*, including the number, type, size and scale of drawings or models.

The Procedural Rules

The rules contained in a design competition program describe the conduct required of all participants in the competition process: sponsor, professional adviser, jurors and competitors. Adherence to the rules is essential in order to maintain the basic tenet of fair play for all participants. The disregard of any rule must therefore be deemed a serious violation. To structure a design competition properly, the procedural rules should cover the following subjects.

1. Type of Competition

   The program should identify what kind of competition is being held:
   —project competition,
   —idea competition,
   —product or prototype competition,
   —developer/architect competition.

   It should also describe the design procedure:
   —one-stage,
   —two-stage.

2. Sponsor

   The individual or organization sponsoring the competition should be identified.

3. Personnel

   The program must identify the professional adviser and all members of the competition jury. Brief biographical information and professional affiliations for both adviser and jurors should be provided. If applicable, the program should also identify all major consultants to the competition and their fields of expertise, such as cost estimation, energy efficiency and mechanical engineering.

4. Eligibility

   The program should announce whether participation is:
   —open,
   —limited by residence, place of registration or other qualification,
   —invited.
   In an invited competition, the competitors are each paid a mutually agreeable fee, with the amount stated in the program.

   The program must identify who is eligible to compete:
   —licensed architects, engineers, planners, landscape architects, etc.,
   —teams in which only the principal or team leader must be licensed,
   —architectural designers,
   —architectural or planning students.
   The program should specify exactly what proof of licensing, if any, is required.

   The rules should state that no associates, employees or direct family of the sponsor, jurors or professional adviser are eligible to compete.

5. Registration

A registration fee may be charged for entering a design competition. The function of a nominal fee is to separate the serious competitors from those who are merely curious about a project so that the sponsor and professional adviser can estimate the number of entries that will be received and plan accordingly.

The rules should stipulate whether or not competitors may submit more than one scheme in a competition. Generally, only one entry is permitted for each registration. Membership on more than one team may be allowed or prohibited at the discretion of the sponsor.

A statement of agreement to respect all the rules of the competition can be attached to the registration form. The program may require the competitor to sign and return such a statement as part of the official registration.

6. Calendar

The competition program should be mailed to all competitors on the same date, with the reasonable assumption that all will receive it within a few days. This schedule typically establishes the following dates:

- the final date for registering as a competitor,
- the final date for submission of questions to the professional adviser (preferably no later than one third of the way through the design phase),
- the date by which design submissions must be postmarked or by which submissions must be received to be included in the competition
- the dates of the jury's deliberation (both first and second stage in two-stage competitions).

7. Communications

Registered competitors may not communicate regarding the competition with either the sponsor or juror or any other consultant involved in the competition under penalty of being disqualified.

Any questions competitors have should be submitted by letter to the professional adviser in accordance with the competition schedule. The professional adviser's answers to these questions will be sent to all registered competitors without revealing who asked which questions. Competitors who violate this rule will be disqualified.

8. Fees

In an invited competition the sponsor must pay each of the competitors a fee. This amounts to a commission for preliminary design work. The amount of the fee should correspond to the amount and detail of information the competition requires. If the invited competitors (or the finalists in a two-stage competition) are also required to present their designs in person to a jury, their travel and subsistence should be reimbursed.

9. Disqualification

The rules should describe exactly the disposition of a competition entry that fails to meet the requirements set forth in the project program and the design exhibit instructions. In properly run competitions, it is the adviser's duty to disqualify submissions that fail to meet the requirements prior to their being seen by the jury. Should there be any doubt about whether a submission violates the rules, the adviser may request the advice of the jury.

10. Awards

The number and amount of all prizes should be announced. The customary practice in open and limited competitions is for a jury to rank first, second and third prize winners and a number of honorable mentions. In a two-stage competition, the number of competitors who will be selected by the jury to compete in a second stage should be identified. A frequent practice is to award half the prize money at the end of the first stage and the second half following the final judging. Since two-stage competitions and invited competitions provide fees for the competitors, second and third prizes are seldom granted.

The program must announce the nature and amount of the prize to be awarded the competition winner:

- a specific amount of money,
- a commission to develop the winning design,
- money plus a commission,
- money that is deductible from a commission,
- a scholarship for study or travel (if a student competition).

For a project competition, the procedural rules should stipulate that the winning architect will be employed by the sponsor or receive additional compensation. The program should describe the proposed contractual relationship.

This description should include a statement setting forth the alternative compensation the sponsor will pay the winning architect should the project not proceed beyond the competition.

11. Authority of the Jury

The program should state that the sponsor will be bound by the decision of the jury. If it cannot legally delegate its authority to select or contract, the sponsor must state that its actions will be governed by the decision of the jury. In project competitions, the final authority for awarding a commission, whether it be a corporate board of directors or a legislative body, should be clearly identified.

A jury may decide that none of the designs submitted to a project competition sufficiently answers the sponsor's problem. The rules should be written to allow for such a contingency. For example, the jury may advise the professional adviser and sponsor that it cannot find a first place entry to recommend to the sponsor as a buildable design. Given this situation, the rules should be written to permit the jury to recommend either of the following alternatives:

—all announced prizes be given and the winning architect be retained to develop a new or improved design,

—no first prize be given, but the money be used to enrich the awards made for all the prize-winning designs, (second, third, etc.), thus freeing the sponsor to look elsewhere for a design and designer.

The likelihood of such a situation occurring is fairly remote, but the possibility should be taken into account in the competition rules.

12. Jury Report

The competition rules should require the jury to write a report explaining its reasons for selecting the winning design and ranking the other prize-winning designs, including honorable mentions, in the order chosen. A copy of the jury report should be mailed to each registered competitor. In a two-stage competition, the program should also state that the names of the finalists will be sent by mail as soon as possible after the first stage judging.

13. Competition Rights and Obligations

The competition rules should state that it is the competitor's responsibility to wrap and ship design submissions so that they arrive intact and on time. Sponsors should disclaim any responsibility for loss or damage of designs in transit from competitors. While the entries are in a sponsor's possession, however, they must be stored in a secure place. They should also be insured by the sponsor.

Sponsors usually will keep all entries for as long as they deem necessary and should so advise competitors in the rules. All entries that are not awarded prizes should be returned to their authors when no longer needed by the sponsor, provided prior return arrangements have been made by the competitors. The competition rules should state that those entries for which return has not been requested may be disposed of at the discretion of the sponsor. Competitors should be advised to make copies of their submissions prior to sending them so that they will have a record of their work.

Competitors retain the copyright to their entries, even if no notice of copyright has been affixed, but the sponsor may want the right to make certain uses of the works submitted and should therefore request permission for specific uses on the competition registration form. Some uses, such as photography for publicity purposes, may be encompassed within the doctrine of "fair use" so that the sponsor will not need the author's permission. However, the "fair use" doctrine is not clearly defined by the copyright law and should never be relied on except as a last resort. Requesting and receiving permission for specific uses will protect the sponsor from suit for infringement, so long as the sponsor does not make unauthorized use of the works.

Sponsors should request permission to photograph or otherwise record all submissions for archival and publicity purposes. The rules should state that relevant information will be included in the archive and may be released to the various media. Any copyright notice that the author has affixed must be included in the archive and in any publicity material.

If an exhibition is planned, the authors' permission must be granted, for the right to display a work is not encompassed in the doctrine of "fair use." The sponsor should also request permission to circulate the exhibition to various institutions if a traveling exhibition is planned, since permission for the sponsor to exhibit a work does not necessarily include permission for third parties to exhibit the work. Exhibitions will usually mean that the works will not be returned for some time, and this also should be stated as specifically as possible in the rules.

If the works are to be available for sale during their exhibition, mention must be made in the rules of any commission the sponsor will take. Entrants should be asked to set a sale price, and it should be made clear that works sold will not be delivered to purchasers until the exhibition is over. In any exhibition of competition submissions, the authors should be clearly identified unless anonymity is requested. Any relevant information, including the copyright, must be included in the identification.

Reproduction of the entries is also not "fair use." If a catalogue or other publication is planned, entrants should be so informed in the rules and permission to publish photographs of entries should be requested. The rules should clearly state that no entrants, including those whose submissions are chosen for use in such a publication, shall receive any compensation. All photographs published by the sponsor must include any notice of copyright that the author has affixed to the work. If the work bears a notice of copyright that is not visible in a photograph, the sponsor must indicate elsewhere in the publication that the work is copyrighted by the author.

Unless the sponsor obtains an exclusive license to publish a work, the author will retain the right to make other publications.

14. Use of Features from Unsuccessful Designs

    The rules should state that no feature from an unsuccessful submission will be incorporated into the winning design without the permission of the commissioned architect as well as the author of the specific design feature.

    If the sponsor wishes to use a feature from a competition entry in a constructed project or in any other design derived from the entry, just compensation must be paid to the author. The rules should assure competitors that entries will not be used in this manner without first gaining permission from the author. Sponsors should remember that any unauthorized adaptation will be an infringement of the author's copyright.

15. Right to Require Association

    Should the winning designer be deemed by either the jury or sponsor to lack architectural experience or to need wider consulting assistance, the designer may be required to associate with other consultants, including other architects, to develop the design through to final execution. No consultant should be chosen without the concurrence of the sponsor and the winning architect.

The Project Program

Each competitor's design must address the requirements of the project program or risk disqualification. Therefore, one of the tasks of the professional adviser in preparing the project program is to balance its requirements with the competitor's freedom of design interpretation. Too few requirements may not adequately describe the sponsor's needs; too many may unduly restrict the search for an imaginative solution.

The project program should make maximum use of clear diagrams and drawings. Floor areas, for example, can be conveniently portrayed as charts, tables or graphic areas. The following is a summary of ingredients essential to a successful project program.

1. History and Background

   The program should include a brief but relevant history of the project, the sponsoring organization, the immediate urban or natural environment, and the social context, if relevant. It may also include a statement of the sponsor's interests and intentions. On occasion, sponsors may have established operational methods they would like to have respected in a new architectural design. For example, an organization composed of semi-autonomous units may want competitors to give spatial expression to such an organizational framework in their designs. Additional programmatic considerations may require a statement about the architectural character sought in a new building, including its harmony with neighboring structures, the surrounding topography and vegetation or the general character of a region.

2. Objectives

   The program should inspire the imagination of potential competitors by a clear presentation of the competition's objectives.

What kind of character should the project display? What should it say to the community? What large organizational and architectural functions should it fulfill? What is expected of the structure during its lifetime? How will it serve the owner, users and community? What kind of growth should be accommodated, if any? Are there any special design problems the structure should answer? What requirements are made in regard to energy use, circulation, public-private relationships, etc.? In short, what is the building for? How will it shape the lives of people who live or work in it?

3. Evaluation Criteria

The program should establish the criteria the sponsor expects the jury to follow in evaluating the competitors' entries. Evaluation criteria vary considerably from one competition to another. In a competition for a memorial, symbolic and aesthetic aspects may be paramount, while in a competition for a building devoted to natural science research, the functional use of space may be deemed to be of overriding importance. To make the sponsor's intentions clear, some programs list the specific questions the sponsor seeks to have answered.

Other programs will state the project's major goals or themes in more general terms, to give the jury maximum freedom in its deliberations. Still other programs may attempt to assign points to specific issues or themes, to articulate the relative weight the jury should give to various aspects of the submitted designs. Jurors may find it difficult to treat literally such percentage-weighted criteria. There may be too many intangibles inherent in assessing the quality of a design to warrant the strict use of such a rigid scoring system.

However they are presented, the evaluation criteria should be clear to both jurors and competitors. They indicate, more than any other program element, the design values and solutions the sponsor is seeking.

4. Orientation Map

A small scale area plan or aerial photograph (or both), with north arrow and scale, indicating the site, environs, the principal roads and all other pertinent geographic relationships must be supplied.

5. Circulation

A traffic or circulation plan of the general site area should be given. It should graphically represent the flow of automobile, truck, public transit and pedestrian traffic.

6. Climate

A weather and climate diagram or summary must be supplied to provide information on latitude and longitude. Precipitation averages and extremes should be stated on a monthly basis. Seasonal temperature, humidity and wind data should also be provided. Otherwise, the appropriate National Oceanic and Atmospheric Association (NOAA) documents should be identified.

7. Photographs

It will usually be helpful to include a group of photographs of the competition area, such as:
—air photos (vertical and oblique) of the site,
—ground level photos of the site, illustrating its main features, including key approach views,
—photos looking from the site to adjacent, nearby or distant buildings, landmarks or vistas.

All photos should be keyed to a location point map, which may be a copy of the general area plan or the site plan.

8. Site Plan

A detailed site plan at an appropriate scale must be supplied. It should show:
—a graphic scale and north arrow,
—project boundaries,
—topography,
—neighboring buildings (their uses, heights, entrances, materials, etc.),
—site easements, if any,
—trees and vegetation,
—sub-surface conditions (may be a separate report, if required),
—utilities (water, sewer, storm, gas, electric, telephone),
—prevailing seasonal wind directions.

9. Site Visit

The program may require that all competitors visit the site of a project. In invited competitions, the sponsor will make arrangements for a visit that are convenient to all, usually as part of a general orientation. In open and limited competitions, a sponsor must decide whether or not a site visit should be required of all competitors. Travel distance considerations will usually determine whether or not a mandatory requirement is advisable. If a site visit is made mandatory, the sponsor should determine the means of verifying that a proper visit to the site has been made by each competitor. A sign-in book placed near the site is one possibility. In lieu of a mandatory site visit, more elaborate site information must be provided in the program. The latter method is the one more frequently used.

10. Space Program

A detailed building or project program must include the area requirements for all operational components. It must also supply:

—areas listed by function and size,
—proximities or relationships between various departments,
—a description of how the building should operate, in terms of personnel and what they do,
—special functional considerations, such as security needs or special equipment,
—access requirements of workers, visitors and service and emergency personnel,
—special interior climate considerations, such as climate control for documents storage, special equipment, etc.

11. Special Requirements

A clearly stated list of special requirements may also be provided. It may include:

—building energy performance standards,
—building construction phasing considerations,
—the use of natural light and ventilation,
—proximities to window areas by employees,
—lighting standards for work areas.

12. Budget Limitations

Cost is nearly always one of the principal determinants of a project, both initial capital costs and subsequent operations (or "life") costs. In this respect, real competition projects are no different than any other building project. A competition sponsor may only have a specific amount of money available for a project. Or, a limit for the entire cost of construction and operations may be established. The sponsor's financial situation should be clearly communicated to the competitors and jury. Specifically, the cost of the project should be established as one of the following:

—*budget target*: competitors are asked not to exceed a stated overall cost in their designs;
—*budget estimate*: competitors are asked to estimate the total cost of their designs, usually on the basis of area or volume cost assumptions;
—*mandatory budget requirements*: an absolute cost limit is established and a professional cost estimator is hired by the sponsor to check for compliance.

Putting limitations on the amount of area or volume allowed in the project program is a less explicit but potentially effective way for a sponsor to control the cost of a project.

Design competitions for real projects should state their budgetary concerns. Idea competitions, product competitions and student competitions may subordinate or disregard cost considerations to focus on design ideas.

13. Local Codes

The program should contain all pertinent information regarding the codes, ordinances and regulations of the local jurisdiction in which the project resides.

14. References

It may be helpful for a sponsor to include a list of readily available information resources (articles, books, manuals, etc.) on specialized subjects pertinent to the project program.

The Submission Requirements

The submission requirements serve to summarize for competitors and jury precisely what design information the competitor is to produce. Participation in a design competition requires that an architect spend a significant amount of time away from regular practice. Consequently, the professional adviser should exercise care in determining how much design information to require. The design exhibit instructions should be sufficient to explain the design without resulting in overly elaborate and unnecessary drawings. Keeping the number and detail required in the drawings to a minimum usually benefits the sponsor as well as the competitors, for it allows the architects who enter to concentrate on finding the best design solution to a problem, rather than on its graphic presentation. In general, the submission requirements should:

— be clear and concise,
— keep the number of exhibits to a reasonable minimum,
— stress design information in preference to rendering,
— restrict only what demands restriction, allowing competitors the freedom and opportunity to express their ideas, but in a manner reasonably comparable to other competitors.

Disregard of the submission requirements by competitors is a violation of the rules. Those entries that do not follow the instructions should be disqualified from the competition by the professional adviser. The instructions should stipulate how extra materials such as an unrequested model or additional drawings will be handled. The preferred procedure requires the professional adviser to withhold from the jury the extra materials in order to maintain comparability among designs.

1. Drawings

   The number, size, scale and type of drawings from each competitor should be specified. This is a critical decision. The professional adviser should plan this most carefully with the sponsor. By specifying simple types of drawings and avoiding unnecessarily elaborate detail, the adviser and sponsor can ensure that the competitor's efforts will be concentrated on searching for the best solution to a problem. The conventional types of drawings include:
   —site plan,
   —elevations,
   —sections,
   —isometrics,
   —axonometrics
   —perspectives.

   Perspectives may be required from specified points of view, either from the exterior or to illustrate important interior spaces, such as an assembly or exhibit area. Perspectives should be optically correct.

2. Models

   Models should be kept very simple, since they are costly to construct and ship. Generally, the requested model should be "mass" or "white only," showing only overall form, not detail, colors or materials. If transparency is an essential of a proposed design, transparent materials should be allowed. The photograph of a small model may substitute for a perspective or isometric, particularly in an open two-stage competition. If a model is required, its precise base dimensions should be specified (including depth or thickness of base). Topographical interval should also be specified. If deemed helpful, a model of the surrounding area into which all competitors' models can be inserted should be constructed. This allows all of the competitors' models to be examined against a common standard and, of course, saves competitors unnecessary work.

   Models are seldom required as design exhibits in one-stage competitions or in the first stage of two-stage competitions. Models are frequently used in invited competitions and in the second stage of two-stage competitions.

3. Scale

   The scale of all drawings and of the model is very important because scale determines the degree of explicitness sought in the design studies of the competitors. Although it will vary with the project, the scale of submissions can usually be relatively small. In general, scale should be set by the professional adviser in a way that is consistent with the sponsor's objectives and the competitors' design search.

4. Explanatory Drawings, Diagrams or Text

   It may be helpful to require explanatory drawings, diagrams or text as part of the submission. Specific drawings, such as wall sections, may also be required to indicate materials and construction. Limiting the number of auxiliary exhibits and keeping them small, compels competitors to focus on essentials.

   If the competition subject includes an interest in a particular aspect of design (such as passive solar energy), that aspect should be allowed a specified portrayal. A short text, explanatory diagrams and drawings, or a personal presentation of the design to a jury are all appropriate possibilities. If any feature of a competitor's design submission has been copyrighted or patented by another party, acknowledgment of the patent should be required of the competitor.

5. Gross Area or Volume Tabulation

   Competitors may be required to furnish an area tabulation on their drawings. This should be done according to a specified format to facilitate comparison. The competitors may be required to furnish a gross area or volume tabulation showing the trial size of the building design.

6. Cost Estimation

   Cost estimations may be required, but cannot be expected to have a high degree of reliability except in more elaborate invited competitions, or in the second stage of two-stage competitions. If a cost limitation is mandatory, the sponsor should hire a single consultant to perform cost estimates of all entries on a comparable basis.

7. **Methods of Presentation**

   The use of color, toning screens, overlays, etc., on the drawings should be carefully described. The sponsor and professional adviser should decide which media are best suited to helping a jury reach its decision without putting an undue burden, either in terms of time or money, on the competitors. Forethought should also be given to how well the required graphics will reproduce when the designs of the winners and runners-up are published in the professional and general press.

   Instructions regarding the number, mounting, size and relationships of panels and other exhibit items must be precisely prescribed. Failure to comply may lead to disqualification.

8. **Anonymity**

   In competitions where anonymity is to be protected, competitors should be instructed to submit their designs in an appropriate and convenient manner. Double wrapping is the most secure method. When the exterior wrapping is removed, a plain wrapper with no markings whatsoever encloses the submission. Identification is usually achieved by the competitor affixing a sealed envelope to the rear of a specified drawing. Inside the envelope, the competitor should enclose name, address and telephone number.

   Those competitors who desire the return of their design exhibits may be instructed to place a check inside the sealed envelope to defray the sponsor's packaging and shipping expenses, as estimated by the professional adviser. An alternative is to permit the competitors to pick up their submissions on or by a specific date.

Design Competitions Appendix

Time Planning Guide

The sponsor and professional adviser should calculate the amount of time required for the following steps. Note that several tasks can proceed simultaneously.

1. Preliminary Discussion and Formulation
   a. In-house discussion by sponsor
   b. Fact finding
   c. Interviewing and selecting a professional adviser

2. Competition Planning
   a. Program development
   b. Competition documents preparation
   c. Jury selection

3. Competition Initiation
   a. Announcement in professional press and other media
   b. Receive inquiries and registrations
   c. Log same
   d. Distribute program on a specified date

4. Competition Operation
   a. Time interval for competitors to prepare designs
   b. Receive "questions" from competitors
   c. Prepare and distribute "answers"

5. Receipt of Entries
   a. Receive all design entries
   b. Unpack and arrange all entries for jurors' examination
   c. Maintain security of designs
   d. Arrange for public display if required
   e. Examine designs for compliance
   f. Photograph all designs for historical record

6. Jury Operation
   a. Jury examines designs
   b. Selects winner

7. Announcement of Winner
   a. Press release and conference
   b. Public exhibition

8. Follow Through
   a. Prepare competition publications
   b. Pay all bills
   c. Return or dispose of unpremiated designs

Note: When a two-stage competition is held, steps 4-6 are repeated.

Cost Estimating Guide

The expense of holding a competition may be calculated by assigning costs to the following:

1. General Sponsor Overhead

   Time cost of organizational personnel involved in running the competition.

2. Professional Adviser
   - a. Fee (time rate, contract fee, etc.)
   - b. Expenses (office, travel, hotel, telephones, etc.)
   - c. Clerical assistance

3. Publicity and Publications
   - a. Publicity costs
   - b. Publications, printing (Note A)
   - c. Mailing (can be contracted)
   - d. Printing and mailing questions and answers

4. Jurors and Technical Consultants
   - a. Fee or honorarium
   - b. Travel and subsistance
   - c. Communications allowance

5. Exhibit space for design submissions
   - a. Receive designs
   - b. Storage space
   - c. Exhibit space (Note B)
   - d. Handling expenses
   - e. Jury assistance (can be done by students)

6. Prizes

   Prize schedule—1st, 2nd, 3rd, Honorable Mentions (Note C)

7. Publication of Results
   - a. Press kit
   - b. Public exhibit
   - c. Competition publication—book or booklet

Note A: Competitors often pay an entrance fee, which can be applied to some costs. It should be very low, only enough to discourage the idly curious, not pay for the competition.

Note B: "Sunshine" laws may require that all designs be placed on public exhibit. (This can be done via continuous slide projection of designs.)

Note C: Adjustments must be made for a two-stage competition.

Standard Forms of Agreement

The "Standard Form of Agreement Between Owner and Architect for Special Services" (AIA Document B727) is often employed as the basis for a sponsor/professional adviser agreement. Whatever form of agreement is used, the list of typical professional advising responsibilities enumerated in "Planning the Process" (page 8) should be consulted in specifying the services to be provided the sponsor. The same form of agreement may be used in specifying the duties and compensation of jurors. Frequently, however, a detailed letter specifying a juror's obligations and fee is substituted for a more formal agreement. The section on "Obligations" (pages 14-15) should be consulted in specifying the services jurors will provide.

The contract awarded the winning architect in a project competition is often based on a standard form of Agreement Between Owner and Architect, such as AIA Document B141. Frequently, a copy of the owner-architect agreement is printed in the competition program in order to clarify the contractual relationship the sponsor and winning architect will enter into at the conclusion of the competition.

A Brief Competitions Bibliography

Alvar Aalto. Scarsdale: Wittenborn & Co., 1963.

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These books are particularly interesting because they list all of Aalto's competition work.

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Lance Laver's interview with Gerhard Kallmann illuminates some of the Kallman, McKinnell firm's attitudes and strategies regarding design competitions.

Moore, Charles W. and Pyle, Nicholas, eds. **The Yale Mathematics Building Competition.** New Haven: Yale University Press, 1974.

Seelig, Michael Y. **The Architecture of Self-Help Communities: The First International Competition for the Urban Environment of Developing Countries.** New York: Architectural Record Books, 1978.

Spreiregen, Paul D. **Design Competitions.** New York: McGraw-Hill, 1979.

Broad in scope, this volume is the most extensive source of information about architectural design competitions currently available. It contains hundreds of illustrations of competition-winning designs and an action plan for the expanded use of well-run design competitions in the United States.

Strong, Judith. **Participating in Architectural Competitions: A Guide for Competitors, Promoters and Assessors.** London: Architectural Press, 1976.

Written by the woman who for many years served as the coordinator for design competitions at the Royal Institute of British Architects, this book describes how the competition system works in Great Britain and compares British practices with those found in Europe and the Commonwealth.

The Tribune Tower Competition. Chicago: The Chicago Tribune Co., 1923; reprinted as **Chicago Tribune Tower Competition,** vol. 1. New York: Rizzoli, 1980.

Wynne, George G., ed.. **Learning from Abroad #4—Winning Designs: The Competitions Rennaissance.** New Brunswick, N.J.: Transaction, 1981.

Part of the **What Makes Cities Livable?** series produced by the Council for International Urban Liaison, this volume offers a brief overview of architectural competition practices in Western Europe, Australia, and Japan.

COMMISSIONING PUBLIC ARCHITECTURE

Let me begin with a true story that to my mind effectively sums up the two traditionally opposed views of the usefulness of competitions as a means of achieving excellence in public architecture. At a party in New York the other evening, I happened to encounter that superbly crotchety character, Philip Johnson, who in his middle eighties remains the Peck's Bad Boy of American architecture. I mentioned to him that I would be giving testimony here today and would be grateful for his opinion on competitions. I noted that since the better the jury in a competition, the more likely it is that the jurors will have dissenting views of the projects submitted and will end by awarding victory to a compromise candidate--one who in most cases has submitted the least offensive and therefore the least innovative design--how did Philip feel about the principle of holding competitions? He replied at once, "I am wholeheartedly opposed to them." I pointed out that the alternative was the likely bestowal of a design commission by some untutored bureaucrat fearful of taking chances and therefore content with a conventionally mediocre design. "You're absolutely right," Philip said, just as rapidly as before. "I am whole-heartedly in favor of competitions."

So there you are! Strong feelings can be entertained on both sides of the question and sometimes almost simultaneously by the very same individual. The principle of competitions in the arts is an ancient one--as ancient, indeed, as those unacknowledged competitions we call war and business. The ancient Greeks held competitions in their games, music, and drama. During the so-called Italian Renaissance, a competition was held in Florence to see who should have the honor of designing a catafalque for the display of Michelangelo's body at his funeral obsequies in the Duomo. Benvenuto Cellini was among the competitors, and when the jury failed to award him the commission he gave proof that artists, then as now, are a thin-skinned lot of sore losers, just like all the rest of us. He refused to attend Michelangelo's funeral, complaining that he had just come down with a bad cold, as indeed perhaps he had.

Our founding fathers were champions of architectural competitions, and I am relieved to say that Jefferson behaved far better than Cellini did when his design for a President's house--what we now call the White House--(submitted under the pseudonym of Alexander Faw) was rejected. Many New Yorkers believe that our ravishing little City Hall is the most beautiful building that we possess; it was the winning design in a competition sponsored by the city and it was won by a Scotch-Irishman and a Frenchman--two minorities that have vanished from the city without a trace.

The design of the United States Custom House in New York City, which Senator Moynihan was so instrumental in preserving as an architectural and historic landmark, was won in a competition by a young sprout named Cass Gilbert. Many of our state capitols--Minnesota's, again by Cass Gilbert;

Rhode Island's, by McKIm, Mead & White; Nebraska's, by Bertram Grosvenor Goodhue--came into existence as a result of competitions. Looking beyond our shores, I may just mention two highly successful competitions of an earlier time--the design for a newly expanded city of Edinburgh, held in the late eighteenth century, and a competition for Canberra, the new capital city of Australia, won in the early years of the twentieth century by the American architect Walter Burley Griffin. One of the most vivid buildings ever to win a competition was the opera house in Sydney, Australia; it is also one of the most vivid financial catastrophes of all time. I omit as not germane to this inquiry the innumerable architectural competitions that have been held by private institutions and corporations, with the usual difficulties to be faced and with the usual mixed results.

The difficulties I speak of are both philosophical and pragmatic. We Americans are said to be skittish about approaching problems of a philosophical nature and to prefer embracing problems that are pragmatic--that is, problems that are capable of being resolved as quickly and efficiently as possible, perhaps with a screw-driver and some bicycle tape. This is all very well when it comes to manufacturing widgets or even to catapulting men into outer space, but excellence in public architecture is a problem of another sort altogether--it is an abstraction that we hope to bring to earth as Franklin brought lightning to earth with a kite. Which, like being funny as well as interesting, is something easier said than done.

To begin with, one man's notion of excellence in architecture may be another man's notion of trash. Thus it happens that whereas men of reason may agree that a competition is the best means of achieving excellence in the design of a given building, the next step--that of selecting a jury that will select in turn the architect of the building--is where the fur begins to fly. Some competitions been abruptly called off on this account; others have been called off because the juries themselves were at each other's throats so long and so bloodthirstily that a winning candidate for the commission, to say nothing of an actual building, was unlikely to emerge within a foreseeable period of time. No matter! One dare not reject a principle good in itself on the grounds that evil may flow out of it. We must practice what we take to be prudence, if not wisdom, and hope for the best.

For the alternatives are assuredly worse: the easy way out nearly always leads down as well as out. Browning said long ago that a man's reach must exceed his grasp, else what's a heaven for? Skipping heaven for the time being, as not having been designed by the winner of a competition, let us adopt this saying as a definition of what competitions are intended to provide us with, right here and right now; to wit, a means of achieving a measure of aesthetic control over the usual well-meaning ingenuousness of government administrators. In a well-designed building, the architect's reach and grasp come as close as possible to coinciding; and in a well-run competition, a jury can determine in the course of looking over the proposals it receives the likelihood that a design will be able to fulfill the challenging list of requirements--artistic, financial, and spatial--that have been set out. Which is to say that the jury of experts can perceive, often with regret, that a particularly attractive proposal is, in fact, alas! only a superlative pipedream. (In the nature of things, architects who are pipedreamers are especially apt to enter competitions.)

If, as I believe, architectural competitions are intrinsically of high value, I am obliged to add that in my experience the harm that may flow out of even a well-run competition lies in the sequence of events that follow it. One of the most ominous of these events is a tendency on everyone's part to begin to tinker with the winning design. Sometimes the architect himself, sometimes members of the jury, sometimes politicians and reigning bureaucrats, and sometimes even perfect strangers who, so to speak, have wandered in out of the rain and find themselves with nothing better to do, begin to offer suggestions of a more or less inappropriate nature for the improvement of the design. Little by little, the excellence of the design may be nibbled away as rats nibble away at a parchment, and the mediocrity that a jury took care to avoid in choosing an architect manifests itself in the course of preparing his design for execution.

The risks involved in holding an architectural competition are many, but they have the advantage of being known and of being avoidable. The risks involved in commissioning works of public architecture without a competition are also many, are also well-known, and have the disadvantage of *not* being avoidable. For the processes of government are notorious for advancing foot by foot and year by year with the unwinsome irresistible force of a glacier making its way through a dark mountain gorge. The most usefully agitated of mortals cannot deflect the glacier from its path by so much as a hair's breadth. To make matters worse, it is a commonplace for grand follies to be committed by small, faceless men, who in most cases are acting in good faith and would be astonished to learn that what they have undertaken to do is just wrong instead of just right. On that pontifically portentous note, I thank you for having heard me out.

--Brendan Gill

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